Bengal Secretariat Library Copy.
To be returned when done with.

REPORT

ON

CIVIL AND CRIMINAL JUSTICE

IN

BRITISH BURMA

FOR

The year 1876.

Rangoon:
PRINTED AT THE GOVERNMENT PRESS.
1877.

13

TABLE OF CONTENTS.

RESOLUTION BY THE CHIEF COMMISSIONER.

	Page.	Page.
Necessity for revision of certain provisions of Act XVII. of 1875 (the Burma Courts Act); slight increase of civil, and considerable access of criminal, business before the Courts; necessity for strengthening ministerial staff of subordinate Courts; resumption by Mr Sandford of office of Judicial Commissioner; ommission to record results of personal observation by Mr .Quinton during tours of inspection	1	1
Translation into Vernacular of Legislative Acts, notwithstanding great difficulties	ib.	ib.
Want of precision observable in preparation of statistical returns...	2	2
Civil business of the province compared with that of 1875 ...	3	3
Comparative statement of work of the Criminal Courts for 1875-76; distribution of increase in cases of reported crime; remarks on figures given in distribution statement; prosecutions and convictions for making false charges in Rangoon; number of persons discharged without trial, and of persons ordered to give security for good behaviour; large proportion of the latter class of cases in Syriam	4	ib.
Business done by the various Courts exercising High Court jurisdiction	5	5
Civil work of the Recorder's Court during the year; regular civil business of the past five years; large decrease in value of property under litigation; explanation by Recorder of duration of cases in his Court; inexpediency of the present collection of process-fees in money, instead of stamps	6	6
Improvement in working of Small Cause Court; falling-off in whole work of the two Judges when compared with that in 1875; number of suits instituted in the three years 1874 to 1876; total value of suits for the three years, and average value; actual work done by the two Judges; preference displayed by many Burmese suitors for First Judge's Court over that of the Second Judge; reasons assigned for this, &c.	7	7
Cases and persons committed for trial before the Recorder as a Court of Session, and results of their committal	8	9
Cases and persons brought to trial in the Magistrate's Courts, results of the trials, and comparison of punishments inflicted in 1875 and 1876; example of perfunctory way in which reports are prepared; and diligence of Town Magistrates in disposal of their work	9	ib.
Suits instituted and disposed of in Courts subordinate to the Judicial Commissioner, and comparison with figures for two years preceding; number and value of suits disposed of since 1871; average duration of suits; detention of witnesses; decrees passed, and applications for execution; imprisonment in execution; applications for arrest or attachment before judgment in Bassein; enquiry by Judicial Commissioner as to arrangements made by Government for recovery in District Courts of		

	Para.	Page.
court-fees on pauper suits; difference in number of civil appeals as stated in body of the report and in statement No. 9; incorrectness of tables given on pages 48 to 52; civil appeals disposed of, and proportion in which decision of lower Court was upheld; appeals admitted and disposed of in Court of Judicial Commissioner, with number in which decision of lower Court was confirmed; and financial result of existing process-fee rules	10	10
Number of persons put on trial, convicted, and acquitted or discharged; number of sessions trials; classification of punishments inflicted; increase in sentences of solitary confinement and of whipping; greater number of sentences of fine accounted for by increase in petty crime; evil results of imposition of fines in serious cases, such as theft; decrease in number of cases in which portions of fines were paid as compensation to complainants; average duration of cases; detention of witnesses; number of persons who appealed or applied for revision, and percentage of persons who obtained a modification or reversal of orders of the lower Court; greater number of appeals from 1st class Magistrates than from those of the 2nd and 3rd classes; satisfactory despatch of business of Appellate Courts	11	18
Unsound decisions of certain Extra Assistant Commissioners, with remarks on native magistracy; acknowledgment of assistance rendered by Mr. Quinton during the year	12	ib.

ANNUAL REPORT.

PART I.

COURTS EXERCISING JURISDICTION IN THE TOWN OF RANGOON.

Introductory paragraph 1

Special Court of British Burma.

Civil—

Appeals preferred, disposed of, and pending	1	1
Comparative table of results of past two years	2	ib.
References to Special Court under section 76 of Burma Courts Act, 1875	3	2

Criminal—

Appeals instituted, rejected, and pending	4	ib.
Criminal references instituted, disposed of, and pending ...	5	ib.
References under section 76 of Burma Courts Act, 1875 ...	6	ib.
Revenue and expenditure of the Court	7	3
Judges of the Court	8	ib.

Court of the Recorder of Rangoon.

Civil—

Suits pending at close of 1875, instituted and disposed of during 1876	1	4
Suits pending at close of 1876	2	ib.
Value of suits instituted, of court-fee stamps filed, and of suits disposed of, with value in previous year	3	ib.

	Para.	Page.
Ditto ditto in comparison with year 1875	4	4
Average duration of contested cases, and longest period during which cases were pending	5	5
Cases of 1872, 1873, and 1875, contested and uncontested, disposed of, with average duration	6	ib.
Average duration of suits instituted and disposed of ...	7	ib.
Number and nature of miscellaneous cases filed during the year	8	ib.
Review of judgment and new trials	9	ib.
Appeal to Privy Council: disposal of two appeals to High Court of Judicature at Fort William, which were pending at close of 1875	10	ib.
Vice-Admiralty Jurisdiction	11	6
Insolvency Jurisdiction	12	ib.
Revenue and expenditure	13	ib.
Criminal—		
Cases committed to Recorder's Court as a Court of Session ...	14	6
Cases pending at close of 1875, disposed of, and pending at end of the year	15	ib.
Reference to Special Court...	16	ib.
Criminal appeals instituted, disposed of, and pending ...	17	ib.
Cases committed and appeals instituted during last three years,	18	7
Criminal miscellaneous cases disposed of by Court as a Court of Revision	19	ib.
General remarks—		
Increase in regular suits instituted, and in revenue receipts in two last preceding years; reasons for an increase which is shown in expenditure	20	ib.
Decrease in average duration of suits	21	ib.
Remarks on length of time necessary for disposal of suits ...	22	ib.
Increase in pendency of suits affected by nature of duties of the Court	23	8
Defects of formula adopted for measuring duration of suits ...	24	ib.
Suspicion attaching to low average duration of contested suits,	25	ib.
Despatch of business	26	9
Unreality of apparent connection between paucity of litigation and length of lawsuits	27	ib.
Question as to fact of law suits having lengthened in 1875 ...	28	ib.
Decrease in number of suits instituted in Small Cause Court, as compared with preceding year, not due to real retrogression, a comparison with result of 1874 showing a steady advancement in business and profits of the Court, corresponding with growth of the town and development of its trade	29	ib.
Improvement in manner of disposing of business of the Court,	30	10
Effect of strictures made last year on manner in which business was transacted in Second Judge's Court	31	ib.
Increase in duration of contested cases, which is not explained in report	32	ib.
Contemplated re-distribution of judicial work of the Court ...	33	ib.
Necessity for increase to office establishment	34	11
Qualifications necessary for successor to present Second Judge,	35	ib.
Review of First Judge's remarks on general aspect of litigation in his Court	36	ib.
Remarks on proposed extension of jurisdiction of Court to settlement of partnership matters	37	12
———on necessity for giving further jurisdiction to the Court	38	ib.

	Para.	Page.
Remarks on proposed introduction of Presidencies Small Cause Courts Act into Rangoon	39	12
Extension of Act I. of 1875 to Rangoon	40	ib.
Increase in number of persons brought to trial and convicted, but no real increase of crime	41	ib.
Increase in cases of murder	42	13
——————grievous hurt, robbery, and theft, and decrease in housebreaking and receiving stolen property; offences relating to coining	43	ib.
Decrease in numbers of persons acquitted or discharged, and remarks as to the issue of summonses	44	ib.
Difference in returns of reported cases between last two years and the one preceding them	45	ib.
Increased number of persons under trial and convicted of bad livelihood	47	14

Court of Small Causes, Rangoon.

Introductory paragraph	1	15
Personnel	2	ib.
Removal of Courts to new buildings	4	ib.
Continued separation of Courts	5	ib.
Acknowledgment of assistance rendered by Second Judge ...	7	ib.
Number of suits instituted	8	ib.
Effect of two commercial panics which took place during 1875 ...	9	ib.
Table contrasting the institutions during 1876 with those of 1875 and 1874 respectively	10	16
Decrease in regular cases greatest in proportion in First Judge's Court	11	ib.
Number and value of regular suits instituted before each Judge month by month, and fluctuations during the year ...	12	ib.
Number of suits in which plaintiffs alone, or both parties, were Burmans	13	17
Falling-off in number of Burman suits	14	ib.
Increase in institution of cases by Burmans in First Judge's Court, notwithstanding falling-off in litigation by Burmans; and decrease in Burman Judge's Court	15	ib.
Increase in proportion of Burmans who elected to use an English record	16	ib.
Value of property litigated in suits instituted	17	ib.
Average value of each suit	18	18
Work done.—Regular suits before First Judge	19	ib.
——————————— Second Judge	25	ib.
——————Miscellaneous work done by First Judge, other than execution of decrees	30	19
——————Ditto ditto by Second Judge's Court, ditto ...	32	20
Duration of suits	33	ib.
——————— contested suits	34	ib.
——————— uncontested suits	35	ib.
Uncontested cases before Second Judge	38	21
Execution of decrees	40	ib.
Bailiff's general statement of receipts for each Court	41	ib.
Receipts and expenditure of the Courts	42	23
"Judicial deposits"...	43	25
Exhibition for first time of amount collected for Interpreters ...	44	ib.
Increase in work done by both Judges	45	ib.
General aspect of litigation	46	ib.
———. Very recent occurrence of facts constituting causes of action	47	ib.
———. Tendency to rush into litigation without proper legal advice and consideration	48	ib.

	Para.	Page.
Advocates practising in each Court	49	25
Complexity of transactions forming subject of litigation ...	50	26
Rejection of suits for balance of partnership account, where balance has not been struck	51	ib.
Cases relating to advances for paddy given by merchants in the town to cultivators in the district	52	ib.
Advisability of extending Act I. of 1865 to Rangoon	53	27
Absence of anxiety on part of suitors to appeal when decision is adverse to them; work entailed on First Judge by Mofussil S. C. Court system, in requiring him to note in his own hand the substance of all evidence, and write a judgment in every case	54	ib.
Proposal to extend Presidency Small Cause Court Act and system to Rangoon	55	ib.
Notice of assistants in the Courts	56	ib.
Magistrate's Court, Rangoon.		
Introductory paragraph	1	28
Number of offences, bailable and non-bailable, reported, and persons brought to trial, convicted, and acquitted, as compared with returns for preceding year	2	ib.
Increase in persons brought to trial and in cases reported ...	3	ib.
Comparisons shown in tables following with figures for preceding year	4	ib.
Decrease of reported cases, owing to greater care on part of Police; prosecutions under section 211, Indian Penal Code ...	5	29
Number of non-bailable cases reported and brought to trial, with number of persons tried, acquitted, or convicted	6	ib.
Cases under Chapter XII., Indian Penal Code	8	29
Non-bailable cases for five years	9	30
Offences against property, with violence	...	ib.
Decrease in house-breaking	10	ib.
Increase in convictions	11	ib.
Offences against property, without violence	12	31
Detail of violent crime	...	ib.
Murders	13	ib.
Attempt at murder, culpable homicide, and hurt; few cases in which knife was used	14	32
Petty cases	...	ib.
Bailable cases—		
Decrease under Police Act...	15	ib.
Local and Special Laws	16	ib.
Summons cases...	17	ib.
Increase under head of Petty Cases	18	ib.
Work performed by Magistrates, result of trials before them, and state of their files at close of 1876	19	ib.
Officers acting as Town Magistrate and Assistant Magistrate,	20	33
Remarks on work statement of the Courts	21	ib.
Number of persons committed to Sessions during year, and prisoners under trial at end of year	22	34
Punishments inflicted by the different magisterial authorities,	23	ib.
Number of persons sentenced to solitary confinement ...	24	ib.
——————whipped, and called on to furnish security for good behaviour	25	ib.
——————committed to jail in default of furnishing security	26	ib.
Detention of witnesses, and average duration of cases ...	27	35
Number of witnesses examined, and proportion to number of persons brought to trial	29	ib.
Marked decrease of crime among Madras population ...	30	ib.

	Para.	Page.
Nationalities of persons brought to trial	81	36
Appeals	83	ib.
Gambling	84	ib.
Case of riot in October; theft from the pagoda	86	ib.
General remarks on crime of the year...	87	37
The Judicial Clerk	88	ib.
Return of shipping casualties, and investigations held under Acts I. of 1859 and IV. of 1875		ib.
Miscellaneous cases enquired into	89	ib.

PART II.

Courts under the supervision of the Judicial Commissioner.

Civil.

Introductory paragraph	1	38
Cases instituted in Courts of original jurisdiction, number disposed of, and state of files at close of year	2	ib.
Number of suits instituted	3	39
Districts in which increase principally took place, and reasons to which increase is attributed	4	ib.
State of files at close of the year	5	40
Freedom of the Courts from arrears	6	ib.
Character of original litigation in the different districts and classes of Courts	7	ib.
Great proportion of litigation to recover sums due on contract,	8	42
Suits on written and on unwritten contracts in Thayetmyo ...	9	ib.
Increase in suits for damages on account of torts... ...	10	ib.
Suits for immoveable property in Henzada, and their proportion in Tavoy and Sandoway	11	ib.
Value of original suits	12	ib.
Large number of suits valued at a sum not exceeding Rs. 5 ...	13	43
Suits valued at sums exceeding Rs. 3,000, and those exceeding Rs. 10,000	14	ib.
Manner in which litigation was disposed of	15	ib.
Proportion of suits decided after contest in the Courts ...	16	ib.
Cases dismissed for non-appearance of either party ...	17	44
Proportion of cases decreed *ex-parte*	18	ib.
Cases decreed by arbitration	19	ib.
Proportion of cases decided in favour of plaintiff	20	ib.
Detention of witnesses, average duration of suits in Courts of original jurisdiction, and average number of adjournments	21	ib.
Number of witnesses examined, and decrease in number detained beyond day of arrival	22	ib.
Causes of detentions shown in returns from Thonkwa and Amherst	23	45
Creditable return of examination of witnesses in Akyab district	24	ib.
Average duration of contested cases	25	ib.
Number of decrees passed by Civil Courts, applications for execution, and degree in which applications were satisfied,	26	ib.
Decrease during past year of disproportion between number of decrees passed and number of applications for execution...	27	46
Probability that many decrees were settled out of Court ...	28	ib.
Proportion of decrees satisfied in full, and partially satisfied ...	29	ib.
Issue of processes of execution	30	ib.
Persons imprisoned in execution of decree, and processes issued for arrest	31	ib.

	Para.	Page.
Processes of sale in regard to moveable and immoveable property	32	46
Nature of applications and miscellaneous business performed by Civil Courts	33	ib.
Applications for arrest or attachment before judgment ...	34	48
——————to be allowed to sue *in forma pauperis* ...	35	ib.
——————for grant of probate or letters-of-administration ...	36	ib.
Appeals preferred to Deputy Commissioners, and proportion in which decrees appealed against were upheld ...	37	ib.
Appealable decisions, and number of appeals made to Courts of Deputy Commissioners	38	53
Low proportion of appeals from decrees passed by Extra Assistant Commissioners Moung Shwe Pay (Rangoon), Moung An (Bassein), and Moung Hpo (Rangoon)	39	ib.
Great amount of civil work performed by Extra Assistant Commissioners Moung Shwe Yeen (Henzada) and Moung Shwe Bya (Bassein)	40	ib.
Table showing work of the Appellate Courts	41	ib.
Heavy appellate work of Courts of Deputy Commissioners of Henzada and Bassein	42	54
Reason for long duration of appeal in Court of Commissioner of Tenasserim	43	ib.
Freedom of Appellate Courts from arrears	44	ib.
Appeals preferred from decrees of Deputy Commissioners in original suits	45	ib.
Financial result of rules framed under section 20 of the Court Fees Act, regulating fees chargeable for serving processes and remuneration of peons of Civil Courts	46	55
Proportion of receipts to expenditure	47	57
Regular appeals decided in Court of the Judicial Commissioner	48	ib.
Appeals instituted in ditto ; number admitted on the file ; confirmations and reversals or modifications of decrees of lower Appellate Court	49	ib.
Miscellaneous appeals disposed of in Court of Judicial Commissioner	50	58
Number and result of references to Court of Judicial Commissioner	51	ib.
Number of references on points of law	52	ib.
Inability of Judicial Commissioner to give an account of judicial administration of the province from personal knowledge...	53	ib.
Criminal.		
Introductory paragraph	1	59
Tables shewing number and nature of offences reported, and number of persons brought to trial, convicted, and acquitted, as compared with results for preceding year ...	2	ib.
Number of offences reported, as compared with those for 1875,	3	70
Increase observable in every district except Shwe-gyeen and Tavoy	4	ib.
Increase most remarkable in Thayetmyo district	5	ib.
————proportionately large in districts of the Arakan division and in Toungoo and Bassein	6	ib.
————attributed to greater correctness in reporting crime...	7	ib.
————in number of persons brought to trial	8	ib.
Inference from ditto ditto	9	ib.
Increase in cases of house-breaking, in cattle-thefts, and in other thefts	10	ib.
Lesser degree of violence attending cases of house-breaking in Burma than in other countries, and reason for this being the case	11	ib.

	Para.	Page.
Increase in house-breaking attributed in some districts to greater care in classification of offences	12	70
Reasons assigned by Deputy Commissioners for increase in number of thefts in their districts	13	ib.
Cause of reported general increase in crime of cattle-theft attributable to a singular return from district of Thayetmyo	14	71
Improvement in districts other than Thayetmyo	15	ib.
Decrease in reported cases of murder, dacoity, and robbery; and increase in rape and grievous hurt	16	ib.
Large decrease in offences against the person	17	ib.
Increase in offences against the public and against special laws of the province, to what causes attributable	18	ib.
Classification of nuisances under Municipal and Police laws ...	19	ib.
Decrease in proportion of convictions to persons brought to trial in non-bailable cases; general percentage, including bailable cases, remaining stationary	20	ib.
Proportion of convictions in non-bailable cases	21	ib.
Small proportion of convictions to cases of house-breaking reported in Henzada, and of cattle-thefts in Thayetmyo and Rangoon	22	ib.
Cattle-thefts reported, and persons convicted, in Henzada ...	23	72
Successful result of investigations and prosecutions in cases of murder, except in district of Toungoo	24	ib.
Amount of criminal business in the several districts, result of trials, and state of files at end of year	25	ib.
Large number of persons entered as discharged without trial,	28	73
Number of persons left under trial at close of year in district of Amherst...	29	ib.
Number of cases tried summarily and regularly by Magistrates of 1st class and Magistrates of districts; and cases tried under powers conferred by section 36, Criminal Procedure Code	30	ib.
Greatest number of persons tried summarily by one Magistrate	31	77
Total number of persons tried summarily in the province ...	32	ib.
Persons tried by Magistrates of districts exercising enlarged powers under section 36 of Code of Criminal Procedure ...	33	ib.
Convictions of persons tried as above	34	ib.
Punishments inflicted by magisterial authorities	35	ib.
Sentences of solitary imprisonment	36	79
——————simple imprisonment	37	ib.
——————fine	38	ib.
Necessity for strict measures in dealing with cases of theft ...	39	ib.
Increased number of sentences of whipping	40	ib.
Proportion of fines realized	41	ib.
Apparent decrease of nearly one-half in amount of fines awarded as compensation to injured persons... ...	42	ib.
Assaults and cases of hurt made subject of civil action after infliction of criminal punishment	43	ib.
Orders passed by magisterial authorities in exercise of preventive jurisdiction, and other miscellaneous business ...	44	ib.
Increase in number of persons called upon to give security for good behaviour; number of persons imprisoned in default; large proportion of persons belonging to Poungday township ordered to give security in Prome district; greatest number of these orders passed by Henzada magistracy ...	45	80
Orders to give security for good behaviour passed by Magistrate of Amherst	46	ib.
————by Mr. Parrott at Syriam	47	81

	Para.	Page.
Imprisonment of all the persons called upon to give security in Toungoo and Kyouk-hpyoo districts	48	81
Detention of witnesses, average duration of trials, and average number of adjournments	49	ib.
Witnesses examined in criminal Courts, with number examined on day of arrival in Court	50	82
Result shewn an improvement on last year's return ...	51	ib.
Detention of witnesses in Shwe-gyeen district	52	ib.
——————Thonkwa do.	53	ib.
——————Amherst do.	54	ib.
Large number of witnesses called upon to remain three days in attendance in Town Magistrate's Court, Moulmein ...	55	ib.
Deposit by complainant of expenses of witnesses before summoning them	56	ib.
Reluctance of Magistrates in some districts to take advantage of rules allowing expenses of witnesses to be paid by Government in warrant cases	57	ib.
Very low average duration of cases	58	ib.
Number of appeals from subordinate Magistrates, and mode in which they were decided	59	ib.
Number of persons convicted by subordinate Magistrates who appealed to Magistrate of district...	60	88
Cause of low proportion of appeals	61	ib.
Appealable convictions and appeals in Rangoon district ...	62	ib.
Content of Burmans with decisions of their fellow-countrymen	63	ib.
Extraordinary case of fining villagers...	64	ib.
Table showing work of Sessions Courts	66	ib.
Numbers of Sessions trials held before Commissioners of Divisions, Judge of the Town of Moulmein, and Judicial Commissioner	67	89
Highest and lowest proportions of convictions in Courts ...	68	ib.
Capital sentences passed, and commutations	69	ib.
High average duration of trials in Court of Commissioner and Sessions Judge of Tenasserim	70	ib.
Indefinite postponement of trial of a lunatic in Pegu Court ...	71	ib.
Punishments inflicted by Courts of Session	72	ib.
Result of appeals from Magistrates to Courts of Session ...	73	90
Proportion of appeals to persons convicted	74	92
Proportion successful to total appellants	75	ib.
Sentences enhanced on appeal	76	ib.
Decisions of Major Furlong, Town Magistrate of Moulmein, uniformly uphold on appeal	77	ib.
Result of appeals favourable to Messrs. Davies, St. Barbe, Duke, Weidemann, and Macrae	78	ib.
Work of Appellate Courts	79	ib.
Prompt disposal of business of Appellate Courts	80	94
Financial result of rules regulating fees chargeable for service of processes and remuneration of peons	81	ib.
Insufficiency of receipts to meet expenditure in eight districts,	82	95
Contemplated reduction in number of peons	83	ib.
Work of Judicial Commissioner's Court as a Court of Appeal,	84	ib.
Number of appellants in Court of Judicial Commissioner sitting as a High Court, and number of successful appellants	85	97
Proportion of reversals	86	ib.
Work of Judicial Commissioner's Court as a Court of Revision	87	ib.
Number of persons whose cases came before Court of Judicial Commissioner as a Court of Revision	88	101

	Para.	Page.
Large number of persons punished in one prosecution for public nuisance in Bassein district	89	81
Illegality of conviction of 25 persons at Theegwin, Bassein district	90	ib.
——————14 persons in Thonkwa	91	ib.
——————30 persons in Mendoon	92	ib.
Setting aside of illegal sentences under Gambling Act ...	93	ib.
Enhancement of sentences	94	ib.
Work of Court of Judicial Commissioner as a Court of Reference for confirmation of capital sentences	95	ib.
Inability to give, from personal knowledge, an account of general administration of province in Judicial Department ...	96	102

PART III.

Courts under the supervision of the Commissioner of the Arakan Division.

Introductory paragraph	1	103
Detail of papers submitted in original...	2	ib.
Slight change in constitution of Court during year ...	3	ib.
Suits instituted...	4	ib.
Subject-matter of suits	5	104
Value of suits	6	105
Suits disposed of	7	ib.
Pending cases	8	106
Duration of suits	9	ib.
Detention of witnesses	10	ib.
Adjournments	11	ib.
Execution of decrees	12	ib.
Appeals	13	107
Judicial Officers in Hill Tracts District		ib.
[Letter from the Superintendent of Hill Tracts, Northern Arakan, to the Commissioner of the Arakan Division, dated the 12th February 1877:—]		
Number of cases instituted in Courts of Original Jurisdiction, number disposed of, and state of files at close of the year, as compared with similar results for preceding year ...	1	107
Character of original litigation in the different classes of Courts,	2	108
Value of original suits	3	ib.
Manner in which litigation was disposed of in the several Courts	4	109
Detention of witnesses, average duration of suits in each Court of original jurisdiction, and average number of adjournments	5	ib.
Number of decrees passed by Civil Courts, number of applications for execution, and degree in which applications were satisfied	6	110
Processes of execution issued	7	111
Nature of applications and miscellaneous business performed by Civil Courts	8	ib.
Number of appeals referred to Deputy Commissioner from decrees of the subordinate Courts, in which decrees appealed against were upheld	9	112

APPENDICES.

APPENDICES TO PART I.: COURTS EXERCISING JURISDICTION IN THE TOWN OF RANGOON.

Page.

1.—Statement showing the various judicial tribunals, Original and Appellate, existing in the Town of Rangoon on the last day of the year 1876 ... ... ii.
2.—(Criminal).—Statement of offences reported, and of persons tried and acquitted for each offence, in the Town of Rangoon in the year 1876 ... ... vi.
3.—(Criminal).—Statement shewing general results of criminal trials in the tribunals of various classes in the Town of Rangoon in the year 1876 ... ... xvi.
4.—(Criminal).—Statement shewing Punishments inflicted by various criminal tribunals in the Court of the Town Magistrate of Rangoon in the year 1876 ... ... xviii.
5.—(Criminal).—Statement shewing result of appeal and revision in criminal cases in the Town of Rangoon during the year 1876 ... ... xx.
6.—(Civil).—Statement shewing the number and description of civil suits instituted in the Civil Courts of the Town of Rangoon in the year 1876 ... ... xxii.
7.—(Civil).—Statement shewing values of suits disposed of in the Civil and Revenue Courts of the Town of Rangoon in the year 1876 ... ... xxiv.
7(*a*).—(Civil).—Statement shewing value of suits disposed of in the Civil Courts exercising jurisdiction within the Town of Rangoon in the year 1876 ... ... xxv.
8.—(Civil).—Statement shewing the general result of the trial of Civil Suits in the Courts of original jurisdiction in the Town of Rangoon in the year 1876 ... ... xxvi.
9.—(Civil).—Statement shewing the business of the Civil and Revenue Appellate Courts exercising jurisdiction within the Town of Rangoon in the year 1876 (blank) ... ... xxvii.
10.—(Civil).—Statement shewing the execution of decrees of the Civil and Revenue Courts exercising jurisdiction within the Town of Rangoon in the year 1876 ... ... ib.
11.—Statement shewing use of Juries and Assessors in the Civil and Criminal Courts of the Town of Rangoon in the year 1876 ... ... xxviii.

APPENDICES TO PART II.: COURTS UNDER THE SUPERVISION OF THE JUDICIAL COMMISSIONER.

1.—Statement shewing the various judicial tribunals, Original and Appellate, existing in the province of British Burma (exclusive of the Town of Rangoon) on the last day of the year 1876 ... ... xxx.
2.—(Criminal).—Statement of offences reported, and of persons tried, convicted, and acquitted for each offence, in the province of British Burma (exclusive of the Town of Rangoon) for the year 1876 ... ... xxxiv.
3.—(Criminal).—Statement shewing the general result of criminal trials in the tribunals of various classes in the province of British Burma (exclusive of the Town of Rangoon) in the year 1876 ... ... xxxviii.
4.—(Criminal).—Statement shewing the punishments inflicted by various criminal tribunals (exclusive of the Town of Rangoon) in the year 1876 ... ... xl.

Page.

5.—(Criminal).—Statement shewing the result of appeal and revision in criminal cases in the province of British Burma (exclusive of the Town of Rangoon) during the year 1876, xlii.
6.—(Civil).—Statement shewing the number and description of civil suits instituted in the Civil Courts of the province of British Burma (exclusive of the Town of Rangoon) in the year 1876 ... ... xliv.
7.—(Civil).—Statement shewing value of suits disposed of in the Civil Courts of the province of British Burma (exclusive of the Town of Rangoon) in the year 1876 ... ... xlvi.
8.—(Civil).—Statement showing the general result of the trial of civil suits in the Courts of original jurisdiction in the province of British Burma (exclusive of the Town of Rangoon) in the year 1876 ... ... xlvii.
9.—(Civil).—Statement shewing the business of the Civil Appellate Courts of the province of British Burma (exclusive of the Town of Rangoon) in the year 1876 ... ... xlviii.
10.—(Civil).—Statement shewing the execution of decrees of the Civil Courts in the province of British Burma (exclusive of the Town of Rangoon) in the year 1876 ... ... xlix.
11.—Statement shewing use of Juries and Assessors in the Civil and Criminal Courts of the province of British Burma (exclusive of the Town of Rangoon) in the year 1876 ... ... l.
12.—Statement of deeds registered in the Registration Offices of the province of British Burma (exclusive of the Town of Rangoon) in the year 1876 ... ... li.

APPENDICES TO PART III.: COURTS UNDER THE SUPERVISION OF THE COMMISSIONER OF THE ARAKAN DIVISION.

1.—Statement shewing the various judicial tribunals, Original and Appellate, existing in the District of Northern Arakan on the last day of the year 1876 ... ... liv.
6.—(Civil).—Statement shewing the number and description of civil suits instituted in the Civil Courts of the District of Northern Arakan in the year 1876 ... ... lvi.
7.—(Civil).—Statement shewing the value of suits disposed of in the Civil Courts of the District of Northern Arakan in the year 1876 ... ... lviii.
8.—(Civil).—Statement shewing the general result of the trial of civil suits in the Courts of original jurisdiction in the District of Northern Arakan in the year 1876 ... ... lix.
9.—(Civil).—Statement shewing the business of the Civil Appellate Courts of the District of Northern Arakan in the year 1876 ... ... lx.
10.—(Civil).—Statement shewing the execution of decrees of the Civil Courts in the District of Northern Arakan in the year 1876 ... ... lxi.
11.—Statement shewing the various judicial tribunals, Original and Appellate, existing in the Hill District of Northern Arakan on the last day of the year 1876 ... ... lxii.

RESOLUTION

ON THE

JUDICIAL REPORT, BRITISH BURMA,

For 1876.

Extract from the Proceedings of the Chief Commissioner, British Burma, in the Judicial Department,—No. 188, dated the 18th October 1877.

READ—

Report on the Administration of Civil and Criminal Justice in British Burma for 1876.

RESOLUTION.—The Judicial administration of this Province during the year under review has few characteristics to distinguish it from that of previous years. Act XVII. of 1875, under which the Courts of British Burma are constituted, has remained in force; and further experience only confirms the opinion expressed last year that its want of simplicity, especially in those of its provisions which relate to the more important tribunals, will need to be remedied. There has been a slight increase of civil, and a considerable access of criminal business before the Courts, whose present weak establishments are scarcely equal to the additional pressure. The subject has been strongly represented to the Government of India, and proposals for strengthening the ministerial staff of subordinate Courts are under consideration. Mr. Sandford resumed the office of Judicial Commissioner shortly after the close of the year, Mr. Quinton returning to India. It is to be regretted that the results of the latter officer's personal observation during tours of inspection are thus left unrecorded. Beyond this there have been no noteworthy changes or transfers of Judicial Officers.

The work of translating Legislative Acts into the vernacular has been carried on steadily, in the face of great difficulties, arising partly from the want of a sufficient number of competent translators, and partly from the inherent difficulty of the

work, Burmese being a language poor at best, and singularly ill-adapted for expressing the elaborate conceptions of Western lawyers.

2. Before proceeding to consider the statistical returns which appear in the report under review, it is necessary to remark that, so far as they can be tested, they are wanting in the precision which the rules for their preparation require, and in the absence of explanation, it is difficult in many instances to reconcile them. Thus, Criminal return No. 2 for the Town of Rangoon is subdivided into a larger number of columns than it should contain—a practice which the orders of the Government of India prohibit, and which entails much useless labour. The column headed "Acquitted or discharged" is supplemented by two others, "Discharged without trial," and "Warned and discharged." The former distinction is unnecessary; while the latter, if it means anything, would seem to show that the Rangoon Magistrates have acted *ultra vires*, in 332 cases in the course of the year. The same return and No. 7 (Civil) are erroneously divided into two parts, one for the Recorder's Court, and the other for the Magistrates' Courts, although it is obvious from the form prescribed that both should have been amalgamated. The Judge of the Small Cause Court writes (page 25):—"In 1875 there were 1,121 of this class, 808 by the First Judge, and 239 by the Second Judge;"—the correct total being 1,047. The figures given in the body of the Judicial Commissioner's report appear to be at variance with each other and with those contained in the Appendix. In paragraphs 26 and 27 (pages 45 and 46), for example, the number of decrees passed in the Rangoon District Courts is stated to be 1,700, while the figures on page 43 show it to be 1,182. The total number of decrees passed in all the Courts subordinate to the Judicial Commissioner, as stated on page 45, differs still more widely from the number shown in return No. 8. Similarly, in column 4, headed "Number of appealable decrees" of the statement which occupies pages 49, 50, 51, 52, the figures seem, from comparison with the table on page 43, to be nearly all incorrect. The Appendix contains all the returns required by the Government of India; the publication of supplementary tabular statements is unnecessary. The essential figures given in the Appendices are difficult to check, but they are no doubt for the most part accurate. A comparison of some of them, however, with those of the Police returns shows, as will be seen below, that they are not invariably right. The Chief Commissioner trusts the

Judicial Commissioner and the Recorder will take steps to ensure greater exactness in future.

3. The civil business of the entire province, in comparison with that of 1875, is exhibited in the following statement:—

Instituted.						Disposed of.					
Suits		Appeals		Total		Suits.		Appeals		Total.	
1875.	1876	1875.	1876.	1875	1876.	1875.	1876.	1875.	1876.	1875.	1876.
30,652	30,998	1,346	1,421	31,998	32,419	30,258	30,611	1,313	1,355	31,563	31,966

The increase in the number of suits instituted amounts to 421. There was a decrease in the Rangoon Small Cause Court of 545, and in the Moulmein Judge's Court of 375 cases. The increase was distributed mainly as follows:—in the Akyab district 293, in Thonkwa 315, and in Bassein, 457 cases. Of the total number of suits disposed of in 1876, 11,847, or 38 per cent., were contested; while in 1875, out of 31,563 disposed of, 10,939, or 34 per cent., were contested.

There were 8,605 applications for execution of decrees, and in 6,674, or 77 per cent. of these, some satisfaction was obtained, 4,223, or 49 per cent., being executed in full. In the Rangoon Small Cause Court, if the returns may be accepted, out of 2,647 applications, 1,449 were completely, and 1,144 partially, complied with, 54 being still pending at the end of the year—that is to say, some satisfaction was obtained in every single case disposed of.

4. The following is a comparative statement of the work of the Criminal Courts for 1875 and 1876:—

Year.	Cases reported.	Persons under trial.	Acquitted or discharged.	Convicted.	Undisposed of.
1875	26,614	39,889	12,734	26,204	201
1876	29,503	46,324	13,807	31,808	230

There has thus been an increase of 2,889 cases of reported crime during the past year. The following statement shows with sufficient accuracy the distribution of it :—

District	Increase
Akyab (District and Town)	187
Rangoon	297
Bassein	495
Henzada	201
Prome	200
Thayetmyo	384
Amherst	301
Town of Rangoon	304
Moulmein	195
Kyouk hpyoo	184
Sandoway	159

These figures agree, generally speaking, with those of the Police statistics. The Chief Commissioner concurs in the conclusions arrived at by the Judicial Commissioner regarding them. There has been a large increase of offences against special and local laws and of petty crime generally. But in none of the graver kinds of crime has there been any material increase. When the report speaks of a greater prevalence of cattle-theft, it conflicts with the returns of the Police Department and the latter are most probably correct. Taking the province as a whole, cattle-theft has decreased during the year under review by nearly 10 per cent. The only considerable and important augmentation has occurred under the heads of theft and house-breaking. This is no doubt correctly attributed for the most part to the prevailing dearness of food. It must not be forgotten, however, that the population of the province is growing rapidly, while means of communication are improving. The former circumstance accounts for some increase of crime, while the latter facilitates its discovery, and both help to swell the returns. The construction of the Railway, for example, besides introducing, as the Recorder remarks, a new class of offences, will also no doubt have the effect of bringing to light others in remote places which might otherwise have remained unreported. This subject, however, falls within the scope of Police Administration, and has already been discussed under that head.

The Rangoon Town Magistrate's Report suggests one further remark. It appears that there have been 15 prosecutions in Rangoon for making false charges followed by 13 convictions. There is no reason to doubt the expediency of these prosecutions, but the Magistrate exercised a wise discretion in

refusing sanction to other similar prosecutions where the charge could not be most clearly established. Any discouragement to resort to the Police would be an evil, and if there is a tendency too hastily to classify complaints as "wholly false," it should be checked.

The number of persons discharged without trial was 4,517, an increase of 511 over 1875, and of these 698 belong to Rangoon. The proximity of the Courts no doubt encourages a hasty resort to them. At all events, the Recorder approves of the Rangoon Magistrates' action in this respect. The number of persons ordered to give security for good behaviour was, according to Statement 4, pages xviii. and xl., 1,064, or according to the tables at pages 34 and 80, 1,184, against 995 in 1875. The question is one to which attention has frequently been directed, and the Chief Commissioner regrets to find that the number of cases in which the so-called "preventive jurisdiction" of Magistrates has been exercised, is on the increase: 757 persons were imprisoned in default, and it is extraordinary that every person called upon to furnish security in Kyouk-hpyoo and Toungoo should have been so imprisoned. If the sum demanded as security is unreasonably high, sureties will not be forthcoming; and this is a point upon which it is right to insist that Magistrates shall act with caution and judgment. Eighty-six of these cases occurred in Syriam, while there were only 55 in Rangoon. Some explanation should have been furnished.

5. The following table shows the business done by the various Courts exercising High Court Jurisdiction for the Province during the year:—

Criminal.

Court of appeal, Reference or Revision.	Appeals.		References.		Revisions.	
	1875.	1876.	1875.	1876.	1875.	1876.
High Court, Fort William	...	...	...	...	...	...
Special Court	9	16	3	7	...	...
Recorder's Court	...	...	...	...	...	...
Judicial Commissioner's Court	136	156	31	24	487	524

Civil.

Court of appeal or reference	Appeals.		References.	
	1875	1876	1875	1876
High Court or Privy Council, Fort William	2	1		
Special Court	14	1	8	2
Recorder's Court			27	9
Judicial Commissioner's Court	115	105	32	18

They contain nothing calling for special notice.

6. The civil work disposed of during the year in the Recorder's Court consisted of 138 regular suits, and 368 miscellaneous cases. The regular civil business of the past five years has been as follows :—

Years.	No. of suits filed.	Value of property under litigation.	Average value of each suit.
		Rs.	Rs.
1872	141	6,79,000	4,800
1873	179	7,71,000	4,300
1874	124	2,82,000	2,274
1875	121	4,20,824	3,477
1876	156	3,14,738	2,017

The value of property under litigation has thus largely declined. The Chief Commissioner is glad to observe that the Recorder has devoted some attention to the subject of the duration of cases in his Court, and to receive the explanation which he has submitted. Even this explanation, however, shows that in 1876, leaving out of account exceptionally protracted suits, the average duration of contested cases has been 48 days, and of uncontested cases, 33 days. The Chief Commissioner regrets to find that he cannot withdraw or modify in any way the opinion which he expressed last year. Every allowance

was made for the exceptional causes which delayed disposal in certain important cases in which commissions to distant places had issued; but it is not the less certain that in other civil litigation generally complaints existed of delays in the despatch of business; and that to this cause was attributed by the persons making the representations to the Chief Commissioner, the reluctance to appear in the Court.

The tables of receipts and expenditure in the Recorder's and the Small Cause Courts which appear in the body of the report contain one item which requires comment, that of "Tullabana." The Chief Commissioner understands that in these Courts process-fees are still collected in money instead of stamps. This practice, if not irregular, is inexpedient, and it is somewhat surprising that it should have continued unnoticed so long. Measures for remedying it are under consideration, and at the same time arrangements will have to be made for supplying the deficiency which no doubt exists in the process-serving establishment.

7. The working of the Small Cause Court has been much more satisfactory during 1876 than it was in the previous year. Mr. Lingham has held the office of first Judge since the beginning of April. He has brought to it considerable professional experience and has worked energetically. The second Judge too has, the Recorder reports, evinced greater carefulness, and it is gratifying to find that Mr. Lingham expresses a similarly favourable opinion. "Before I proceed," says Mr. Lingham, "I must acknowledge the assistance rendered to me by the second Judge in my endeavours to improve the working of the Courts as a whole, and to render the action of the two Courts as harmonious as is possible under the present system." Independently of this, the statistics show that an improvement has taken place in the manner in which business is disposed of in the Second Judge's Court. The proportion of contested cases has increased, the percentage of *ex-parte* cases is sufficiently low, and far fewer cases have been decided in favour of plaintiffs.

The whole work of the two Judges when compared with that in 1875, shows a falling off. But as 1875 was an exceptional year, two commercial panics having given rise to extraordinary litigation, the comparison should be made with 1874. The number of suits instituted in the three years 1874, 1875 and 1876, were 4,197, 5,483, and 4,929 respectively, showing an increase during the year under review over 1874 of 732 or 17·5 per cent. The total value of suits for the three years was

Rs. 3,44,066, Rs. 5,44,229 and Rs. 4,01,385, the increase in 1876 over 1874 being Rs. 57,319. The average value of suits was the same as in 1874, Rs. 82. It was Rs. 100 in 1875. The actual work done by the two Judges was as follows:—

Court.		No. of suits disposed of.	Contested.	Percentage of contested cases to total disposed of.	Average duration.	
					In contested cases.	In uncontested cases.
First Judge ...	1874	2,999	812	22·5	11·	17·5
	1875	3,587	808	27·6	22·75	23·5
	1876	3,277	906	27·6	18·	25·53
Second Judge.	1874	1,193	309	25·9	9·5	7·5
	1875	1,821	239	13·1	10·25	6·73
	1876	1,767	302	17·	21·43	7·41

The Judges' work, of which contested cases form the main part, has thus been greater than in 1875. The duration of cases has been somewhat long perhaps in some instances, but not sufficiently so to call for remark. It is not understood what the "Dormant File" in the First Judge's Court was further than that its existence was the reason for uncontested cases lasting 25 days. Whatever it may have been, it is matter for congratulation that Mr. Lingham has succeeded in doing away with it.

It is not difficult to account for the preference displayed in 1876 by many Burmese suitors for the First Judge's Court over that of the Second Judge. In the course of the year the proceedings as regards several matters in the second Judge's Court have formed the subject of enquiry, and there was reason to conclude that in many questions of procedure, discipline, and distribution of patronage some laxity prevailed. In dealing with these, Mr. Lingham's own action in one or two instances has not been such as to add to the diginity or prestige of his colleague; and these are points on which the Burmese are almost superstitiously sensitive. It is remarked that the great majority of suitors who resort to the Second Judge's Court are not Burmese. This may be so, but it is to be remembered that Burmese is the vernacular of the country, and that the first thing almost every foreigner does on arriving here, is to learn it. It is probable that a large majority of suitors in both Courts, whatever their nationality, understand it, and it is therefore

the most convenient language for the conduct of business. The suggestion of the desirability of dispensing altogether with Burmese records can scarcely be entertained. It was on the representation that a Burmese Judge for Burmese suitors was required, that the Second Judge was appointed; and if Moung Oon should carry out his intention of retiring from the service on his pension, it is the intention of the Chief Commissioner to appoint a Burmese gentleman to the vacancy. The change in the rules for the conduct of business which is contemplated will not be affected, because a successor will be appointed, who, in addition to good qualifications for the post, is acquainted with English. The difficulty experienced by Mr. Lingham of conversing with the Second Judge will thus be removed. The Chief Commissioner entirely concurs in the views expressed by the Recorder in paragraphs 36, 37, 38, and 39. The Judges are not overworked, and it involves no hardship either that suitors "obtain the opinion of the Judge without the expense" of Advocates' fees; or that the Judges should have to make a brief record of evidence with their own hand. No information is given regarding the length of time witnesses are detained in the Small Cause Court. This defect should be supplied in next year's report.

8. During the year there were 46 cases and 86 persons committed for trial before the Recorder as a Court of Sessions and High Court. Of those committed, the charge was withdrawn against three, 24 were acquitted, 53 were convicted, five remained for disposal at the close of year, while one case regarding the detention of a lunatic was referred for the orders of the Local Government under Section 426 of the Criminal Procedure Code. Of the 53 persons convicted, three were sentenced to death, three to transportation for life, 15 to transportation for a term of years, and 32 to various periods of rigorous imprisonment. As a Court of Appeal and Revision, the Recorder disposed of 29 cases, and it is remarkable that in 15, or more than half of these, the decision of the Magistrate was interfered with.

9. In the Magistrates' Courts there were 3,880 cases and 5,705 persons brought to trial. Of the latter, 1,343 were acquitted or discharged and 6,607 convicted, a percentage of 76·5, allowing for committals and pending cases. The remarks already made about crime generally throughout the province are particularly applicable to the town of Rangoon. The increase in non-bailable offences has been only 19, while that in bailable offences has been 285. The details of the former are

shown on page 31 of the Report. The percentage of detection to cases of reported crime, has increased from 58 to 64. The decrease to 19 too of the number of cases of house-breaking, coupled with the fact that 16 persons were convicted under this head, reflects credit on the vigilance of the police, and though in a less degree, on the Magistrates in charge.

The following comparative statement of the punishments inflicted in 1875 and 1876 calls for no remark :—

Description of punishment.	Percentage to total number of sentences.	
	1875	1876
Rigorous imprisonment	12 4	12·5
Fine	80 2	81·7
Whipping	3 5	2 7

Another example of the perfunctory way in which the reports are prepared and of the lack of revision and correction before they are submitted, is discovered by comparison of page 34, paragraphs 23 and 25 with page ix. of the appendix. The latter shows 115 persons as convicted of bad livelihood and 86 as bound down to keep the peace. At page 34, as also in Criminal statement No. 4, page xviii., the figures given are 55 and 96 respectively. Fifty-five which is probably the correct number is not excessive.

The Town Magistrates have been diligent in the disposal of their work, and the detention of witnesses is not as a rule long protracted.

10. In the Courts subordinate to the Judicial Commissioner, there were 25,633 suits instituted, including 119 from Northern Arakan, and 25,548 disposed of during the year. The former figures represent an increase of 840, or 3·3 per cent., over those of 1875, which, again, were 3·9 per cent. higher than those of 1874. The difference between the two years was distributed as follows :—

In 1876	Increase	Decrease	In 1876	Increase	Decrease
Akyab	293		Prome		143
Thonkwa	315		Thayetmyo		253
Bassein	457		Toungoo	141	
Henzada	468		Moulmein Town		375

The increase is somewhat surprising, for litigation had grown beyond what was expected in 1875, and the reverse was to be anticipated in 1876, as actually did happen in Rangoon. It seems impossible to suggest any general explanation of the fact.

The following is a statement of the number and value of suits disposed of since 1871 :—

Year	Number of suits disposed of	Total value	Average value	Year	Number of suits disposed of	Total value	Average value
		Rs	Rs			Rs	Rs
1871	22,325	18,51,773	82	1874	23,802	17,39,657	73
1872	22,068	16,46,405	70	1875	24,806	19,36,100	78
1873	21,236	16,52,900	77	1876	25,548	19,05,546	74

About a tenth of this year's suits were for sums of Rs. 5 and under—a fact which is remarkable among people so well-to-do and so little inclined to litigation as the Burmese. The total and average value of suits is less this year than last. Of the 25,548 cases disposed of, 10,595, or 41·2 per cent., were contested, against 40 per cent. in 1875. The proportion of cases decided in favour of plaintiff was 61 per cent., or 16 per cent. less than in 1875. The number of suits dismissed for non-appearance of either party was 4,063, or 15·8 per cent.; while 4,256, or 16 per cent., were decided *ex-parte*. The former proportion is very high. Both are pretty much the same as in 1875. The nature of the suits instituted in 1876 appears to be the same as it was in 1875. The increase that has occurred has been in suits for money due on unwritten contracts, and for damages on account of torts.

The average duration of contested suits throughout the province was 11·4 days; and of uncontested suits, 5·9 days. This represents sufficient speed in the disposal of business. Nor are the returns of any Court very much above or below this average, except those of the Judge of Moulmein, which show 30 and 16 days, respectively. In this, as in the Rangoon Civil Courts, the value of the suits is larger, and the cases probably are more complicated. At any rate, there is no reason for questioning the diligence of the Judge. According to the returns,

the detention of witnesses has been much less prolonged than in 1875. Thirty-eight thousand witnesses were examined, against 30,000 in 1875; and only 2,200 were detained beyond one day, against 3,300 in 1875. In the Shwe-gyeen district, more than a fifth of the whole number examined were detained two days. In no other district was the proportion above half this. In the Henzada, Prome, and Rangoon districts, the returns under this head are the least favourable; though from his recent inspection of several offices, the Chief Commissioner is satisfied that the method of calculating the detention of witnesses and the duration of suits is not made on any uniform plan. Most Extra Assistant Commissioners have no kind of idea of the object for which the registers are maintained. In one instance it was represented to the Chief Commissioner that a return which was in the form of a diary *had been prepared for two months in advance.* If accuracy in such matters is desirable, and any deductions have to be made from the returns, it would be reasonable that the Deputy Commissioners should be at some pains to instruct their subordinates in this particular part of their duty. As matters stand, the most fictitious returns are now sent in with an ingenuousness, which, if innocent, is very remarkable.

From statement No. 8 (Civil), there appear to have been 18,309 decrees passed (not, as stated at page 46, 20, 130). The number of applications for execution was 5,824, or 31·8 per cent. of that total. On 46 per cent. of these, full satisfaction, and on 21 per cent. partial satisfaction, was obtained. The small number of applications for execution is not a matter of any moment, unless it can be proved that no payments are made out of Court. The probability is, on the contrary, that the reason of so few applications being made is that most decrees being for small amounts are settled without the intervention of the Courts, and there is good reason for congratulation that their aid is so seldom required. Only 443 persons were actually imprisoned in execution, although 2,087 processes of arrest were issued. In Bassein, there were 369 applications for arrests or attachment before judgment. How many were granted does not appear—probably an unduly large number, or so many applications would not have been made.

The Judicial Commissioner enquires (page 48) what arrangements have been made by the Government for the recovery in District Courts of Court-fees on pauper suits. No special arrangements have hitherto been found necessary, District

Officers undertaking the duty when occasion has arisen. The Chief Commissioner will be glad to receive any suggestion on the subject which Mr. Sandford may have to offer.

The number of civil appeals, as stated in the body of the report, differs again this year, as it did last, from that given in statement No. 9. It would be well if differences of this kind, where they occur, were explained. As has already been remarked, the tables given on pages 48—52 are incorrect. No comparison, therefore, of the quality of the work of the various Courts can be based upon them. From statement No. 9, it seems that, of 1,421 civil appeals on the files during the year, 1,355 were disposed of; and in 56 per cent. of the latter, the decision of the lower Court was upheld—a large improvement on 1875. In the Judicial Commissioner's Court, of 88 appeals admitted, 67 were disposed of. In 33 of the latter, the decision of the lower Court was confirmed—not a remarkably small proportion, considering the circumstances under which such appeals are filed.

The financial result of the existing process-fee rules appears to have been that, during the year, the receipts amounted to Rs. 83,000, and the expenditure to Rs. 60,000. The surplus realized gives a stronger claim to the increase which has been asked for on account of ministerial establishments.

11. The district returns show that, for a total of 25,291 offences, 37,619 persons were put on their trial, of whom 25,201 were convicted and 11,766 acquitted or discharged. The number of sessions trials was 234.

The following is a classification of the punishments inflicted:—

Description of punishment.	Number of sentences.		Percentage of total number of sentences.	
	1875.	1876.	1875.	1876.
Death	30	21	...	...
Transportation	40	48	...	...
Solitary confinement	120	821	...	...
Rigorous imprisonment	4,221	4,707	19·1	19·1
Simple imprisonment	295	290	...	...
Fine only	14,246	16,949	64·5	68·9
Whipping	1,000	1,164	4·5	4·7
Surety and recognizances	1,118	1,100	5·6	4·8

Sentences of solitary confinement have increased by 200, and sentences of whipping by 164. Both these are advances in the right direction, as these punishments have hitherto been too little used. The increase of petty crime accounts for the greater number of sentences of fine only. The Chief Commissioner trusts that the instances are but rare in which fine is improperly imposed by Burmese Magistrates in serious cases, such as theft. The evil results to which such action leads must be impressed upon them, and Mr. Rivers Thompson will be glad if the Judicial Commissioner will bring to notice any important case of the kind that may occur.

If the returns have been correctly compiled, there has been only half as much use made in 1876, as there was in 1875, of those provisions of the Criminal Procedure Code which allow a portion of fines to be paid by way of compensation to complainants. The result of this must often be the institution of a civil suit after the criminal action has been decided. The law was framed with a view to avoid this, and Magistrates should remember that it is a positive saving of litigation and trouble to use the power which is placed in their hands. It is to be hoped that this will no longer be overlooked as it has been during 1876.

Subject to the reserve with which the tabular statements may be accepted, the average duration of cases throughout the year appears to have been three days. This is much the same as in 1875, and is sufficiently short. The detention of witnesses has been less than in 1875, 60,000 witnesses having been examined, and only 4,300 detained more than a day. The corresponding figures for 1875 are 51,000 and 4,700. In some Courts, however, and notably in those of the District Magistrate of Amherst and the Assistant Commissioners of Thatone and Pegu, the desirability of recording evidence expeditiously so as to allow suitors to return early to their homes would seem to have been totally overlooked. In many districts again, Magistrates have neglected to pay the expenses of witnesses in warrant cases, as they are authorized to do by Government. This question of the treatment of witnesses is a very important one. In Criminal, still more than in Civil Courts, because of the greater strictness with which they are compelled to attend, it is essential that witnesses should be discharged with as little delay as possible. The people of this country are commonly cultivators, who, however light their work at certain seasons, can rarely afford to leave their homes suddenly for days together; and

they are constitutionally of an impatient disposition. Long delays engender distaste for our Courts, and unwillingness to assist the Police heartily by giving information or otherwise in prosecuting offenders. If the people are to render prompt and willing aid in detecting criminals, care must be taken that they suffer as little inconvenience as possible in so doing; and compensation to them is due, as far as may be, for what cannot be avoided.

The number of persons who appealed or applied for revision during the year was 1,851; and of 1,823 persons whose cases were disposed of, 27 per cent. obtained a modification or reversal of the orders of the Lower Court. It is certainly remarkable that the appeals from First Class Magistrates should have been four times as numerous proportionally as those from Second and Third Class Magistrates. The Judicial Commissioner attributes this to the substantial justice usually done by Subordinate Magistrates, and to the lightness of their sentences. The class of offences they have to deal with, however, is not the most serious, and the bulk of their sentences are, and must be, probably, fines against which it is often not worth while to appeal; while a prisoner in jail can appeal without any additional inconvenience, and always with more or less chance of gaining something by it. The business of the Appellate Courts was generally despatched sufficiently quickly. In this respect, the contrast between the Courts of the Commissioner and Judicial Commissioner, both sitting as Sessions Judges in the Pegu Division, is noteworthy. In the former, the average duration of cases was 10, and in the latter 30 days. In the Judicial Commissioner's Court, in 26 per cent. of appeal cases and 44 per cent. of cases of revision, the decision of the Lower Court was modified or reversed.

12. Mr. Sandford has recorded some grotesque instances of unsound decisions given by Extra Assistant Commissioners. They are curious, it is true; but the Chief Commissioner is not inclined to attach much importance to them as furnishing any test of the efficiency of the Subordinate Judicial Staff of the Province. So far as the Chief Commissioner has seen, Burmese Magistrates do their work, generally speaking, conscientiously and well. They can lay no claim to be subtle lawyers, and their judgments may be wanting in "legal correctness," but if substantial justice is done in the petty cases which come under their cognizance, there is every ground for satisfaction. That they do not understand our legal system nearly so thoroughly as the natives of India, is undoubted. The fact is

not surprising, and must be accepted with indulgence, for no blame is due. Many of our present Burmese Extra Assistant Commissioners were born and bred under Burmese rule, and gathered their earliest and most fixed ideas of law and justice from the usages and traditions of Burmese Courts. How widely these differed from our own, few of us can probably appreciate. The main points of difference were, perhaps, that Native Courts admitted money penalties for almost every offence, and decided almost all Civil suits by compromise; and these are the two main directions in which fault is found with Burmese judicial officers. We can neither hope nor desire to eradicate old customs and traditions at once. The thorough introduction and acceptance of a foreign legal system is the work of generations, and the more gently and gradually it is introduced, the firmer will it eventually become rooted.

The Chief Commissioner cordially acknowledges the valuable assistance rendered by Mr. Quinton during the year.

By order of the Chief Commissioner,

C. W. STREET, MAJOR,

Secretary.

REPORT

ON

CIVIL AND CRIMINAL JUSTICE

IN

BRITISH BURMA

For the year 1876.

PART I.

Courts exercising Jurisdiction in the Town of Rangoon.

From the Judges of the Special Court, British Burma, to the Secretary to the Chief Commissioner, British Burma,—No. 7, dated the 20th April 1877.

WE have the honour to submit the Annual Report on the Special Court of British Burma for the year 1876.

SPECIAL COURT OF BRITISH BURMA.

CIVIL.—During the year 1876, there were seven appeals preferred from the decision of the Judge of the Town of Moulmein, and three were pending at the close of the year 1875, making in all ten appeals for disposal, of which nine were disposed of. In the previous year, fourteen appeals were filed, and eighteen were disposed of.

2. The following is a comparative table shewing results of the two past years :—

YEARS.	Number of appeals instituted.	Number of appeals disposed of.	Dismissed by default.	Confirmed.	Modified.	Reversed.	Pending.
1875	14	18	1	7	2	5	3
1876	7	9	...	6	2	1	1

3. There were two references made to this Court under Section 76 of the Burma Courts Act, 1875,—one by the Officiating Judicial Commissioner, and the other by the Officiating Recorder of Rangoon:—

(*a*)—In the first case, the question referred was, in effect, whether certain proceedings which had taken place in the Small Cause Court of Rangoon, arising out of the same subject-matter, did not bar a suit in the Assistant Commissioner's Court of the district, as being *res judicata*. On the facts, the Court held that the proceedings in the Small Cause Court did not bar the cause of suit, and that the Assistant Commissioner's Court could entertain it.

(*b*)—The second was a reference by the Officiating Recorder, of a point which had been referred to him as a High Court, for his decision, by the First Judge of the Court of Small Causes. The Court held that it had no jurisdiction to entertain such a reference, on the ground that the point of law referred had not arisen in any civil suit or appeal, or any criminal case or appeal, before the Officiating Recorder, within the meaning of Section 76 of Act XVII. of 1875; and further, one of the Judges held that, the Recorder's Court being a High Court in respect of references from the Court of Small Causes, the Recorder must himself decide all points of law referred to him by that Court. The case was pending at the close of the year, awaiting the return of the Judicial Commissioner and the Recorder from leave.

4. Criminal.—During the year 1876 there were eleven appeals instituted in this Court from the sentence of the Recorder of Rangoon exercising the powers of a Court of Session, and five from that of the Judicial Commissioner in the exercise of the same powers, 15 of which were rejected without its being necessary to issue notice to the prosecution to appear, and one was pending at the close of the year.

5. There were seven criminal references, *viz.*, five for confirmation of sentence of death, two of which sentences were passed by the Recorder, and three by the Judicial Commissioner, as Courts of Sessions. The sentences were confirmed in four cases, and one was pending at the close of the year.

6. Besides the above, there were two references made under Section 76 of the Burma Courts' Act, 1875, *viz.*:—

(*a*)—One by the Recorder, on the following point of law,—*viz.*, whether an accused who had obtained certain money from the prosecutor by a false representation could be guilty of having received it fraudulently or dishonestly within the meaning of Sections 24, 25, and 471 of the Indian Penal Code, the prosecutor being at the time indebted to, and liable to pay the amount received by the accused, the firm of which the accused and two other men were partners, which was payable in respect of a partnership transaction, and for which any one of the partners could have given the prosecutor a valid release; and the prosecutor having sustained no loss by paying the money to the accused; and, further, the fact being that the prosecutor had not been induced by the false representation to pay the money to him. The Court was of opinion that, as there was a fraudulent intention on the part of the accused, and that, notwithstanding he caused no wrongful loss to the prosecutor, he had within the meaning of Sections 24, 25, and 471 committed the offence with which he was charged.

(*b*)—The other case referred by the Judicial Commissioner was for the determination of an appeal pending in his Court from a conviction and sentence of the Town Magistrate of Moulmein, convicting the appellants of keeping a common gaming-house under Section 3 of Act III. of 1867, on the ground, 1st, that their house, in which it is alleged certain lottery tickets were found, was not shewn or proved to be a common gaming house as defined by the Act; and, 2ndly, that they ought to have been proceeded against, if at all, not under the Gambling Act, but under Section 294A. of the Indian Penal Code, for keeping a lottery house. As the Judicial Commissioner had on a previous occasion ruled that

lottery tickets are not instruments of gaming within the meaning of the Gambling Act, he referred the case to this Court for its decision. The Court was of opinion that the finding of the Magistrate was wrong in convicting under Act III. of 1867 and decreed the appeal, and reversed the finding and sentence.

7. The revenue of the Court during the year from Court-fee stamps amounted to Rs. 505-4, and the expenditure to Rs. 630. In the previous year, the revenue was Rs. 1,809-4. The falling-off in the income of the present year, compared with that of the previous year, arises from the smallness of the value of the suits appealed, the highest being only Rs. 4,470; and the expenditure, which in the previous year was *nil*, consists chiefly in the salary that since then was sanctioned for a separate establishment for the Court.

8. The Judges of the Court throughout the year were Mr. C. J. Wilkinson and Mr. J. W. Quinton.

J. D. SANDFORD,
C. J. WILKINSON,
Judges of the Special Court, British Burma.

RANGOON,
The 20th April 1877.

COURT OF THE RECORDER OF RANGOON.

Report of Civil and Criminal Justice of the Court of the Recorder of Rangoon, for the year 1876.

CIVIL.—At the close of the year 1875 there were 17 Regular and 16 Miscellaneous suits, or a total of 33 suits, pending. The number of suits instituted during the year 1876 was 156 regular and 363 miscellaneous: there were thu son the files of the Court during the year 173 regular and 379 miscellaneous, or a total of 552 suits. Of these, 138 regular and 368 miscellaneous suits were disposed of, as against 141 regular and 315 miscellaneous suits disposed of in 1875.

2. At the close of the year 1876, there were 35 regular and 11 miscellaneous suits pending. Twenty-six out out of the 38 regular suits were instituted but a few days before the close of the year; and in the remaining nine cases, commissions either to examine witnesses in England and India, or to take accounts, were issued, and were not ready for disposal within the year; and as regards the miscellaneous cases, they were also only filed a few days before the Court closed.

3. The total value of suits instituted during the year was Rs. 3,14,738-1 and the value of Court-fee stamps filed was Rs. 29,337, being an increase of Rs. 5,987 on receipts for stamps over the year 1875, although the value of suits instituted in that year was Rs. 4,20,824, and more than double the amount received from the same source in 1874. The value of suits disposed of during the year 1876 was Rs. 5,23,758. In the previous year the value was Rs. 6,80,537.

4. The subjoined table gives the abovementioned particulars in comparison with the year 1875:—

YEAR.	Number of regular suits instituted during the year.	Number of miscellaneous suits instituted during the year.	Total number of suits instituted during the year.	Number of regular suits disposed of during the year.	Number of miscellaneous suits disposed of during the year.	Total number of suits disposed of during the year.	Number of regular suits pending at the close of the year.	Number of miscellaneous suits pending at the close of the year.	Total number of suits pending at the close of the year.	Value of suits instituted during the year.	Value of stamps filed during the year.	Value of suits disposed of during the year.
										Rs.	Rs	Rs.
1875 .	121	317	438	141	315	456	17	16	33	4,20,824	23,350	6,80,537
1876 .	156	363	519	138	368	506	35	11	46	3,14,738	29,337	5,23,758
Increase ..	35	46	81	..	53	50	22		13		5,987	...
Decrease				3	...		..	5		1,06,086		1,56,779

5. Excluding the four cases of 1872 and 1873, the reason for the long pendency of which was fully given in my last year's report, the average duration of contested cases was 1 month and 26 days. The longest period during which a case had been on the file at the close of the year was 4 months and 17 days. In this case a Commission had to issue to examine witnesses at Glasgow. Omitting this suit and the eight others referred to in paragraph 2 of this report, the case longest pending at the close of the year was 1 month and 8 days.

6. The number of cases of 1872, 1873, and 1875 disposed of during the year was 17. Of these, 14 were contested and 3 uncontested, the average duration of each of the former being 16 months and 26 days, and of the latter, 2 months and 5 days.

7. The average duration of suits instituted and disposed of during the year 1876 was in contested cases 1 month and 18 days, and in uncontested cases 33 days. At the close of the year no cases were undisposed of that had been instituted in previous years.

8. The subjoined table shews the number and nature of the Miscellaneous cases filed during the year:—

Nature of Miscellaneous cases.	Nos.
References from Small Cause Court	9
Proceedings under Land Acquisition Act	2
Applications for review of judgment	4
Ditto for new trial	5
Ditto to sue *in forma pauperis*	22
Ditto for letters-of-administration and probate	39
Ditto for removal of attachment	16
Ditto for discharge from jail	5
Ditto under Section 4 of Act XXIII. of 1861, for an order to the Small Cause Court to entertain a suit when one of the defendants resides out of the jurisdiction..	24
Ditto for license to practice as Advocates	14
Processes forwarded by other Courts for service	61
Applications for execution of decrees	68
Decrees of other Courts forwarded with certificates of non-satisfaction ..	52
Other Miscellaneous suits	42

9. During the year 1876 there was one review of judgment, in which the previous decree was confirmed; and two new trials, in which the previous decrees were reversed.

10. There was one appeal preferred to the Privy Council from a decree passed by this Court, which is pending. There were no appeals to the High Court of Judicature at Fort William during the year. Of the two which were pending at the close of 1875, one was dismissed, and in the other the decision of this Court, holding that Barristers who are admitted Advocates of this Court can maintain a suit for their fees, was upheld. The amount of the decree was slightly reduced.

11. VICE-ADMIRALTY JURISDICTION.—There were four admiralty cases instituted during the year, and their value was Rs. 15,386 : two were withdrawn, and the other two were decreed *ex parte* for plaintiff.

12. INSOLVENCY JURISDICTION.—There were 15 petitions presented under the Insolvent Act, one of which was by creditors for an order to adjudicate a party an insolvent, and 14 were by the parties themselves for the benefit of the Act. The following is the result, *viz.*, in the firstmentioned case the party was adjudicated an insolvent; eight petitioners received their personal discharge; four had their petitions for discharge dismissed; and two cases were pending at the close of the year.

13. The total revenue of the Court during the year was Rs. 30,617-5, being an increase of income on the previous year of Rs. 5,965 : and the expenditure was Rs. 45,256-8-6. The excess of expenditure over receipts was Rs. 14,639-3-6, as will be seen by the following statement :—

	Rs A P		Rs A P
Amount realized by Court-fee stamps	29,337 5 0	Recorder's salary	30,000 0 0
Amount realized by stamp penalty	177 0 0	Acting-allowance of Rs 1,000 per mensem to Mr Quinton, the Officiating Judicial Commissioner, who officiated for the Recorder during his absence on privilege leave from 13th November 1876 to 31st December 1876	1,600 0 0
Amount realized by tulla bana	1,103 0 0	Establishment, after deducting two-thirds of Bailiff's salary and Rs 70 of the process serving establishment, which is debited to the Small Cause Court	12,458 14 0
Total	30,617 5 0	Contingencies	1,165 10 6
Excess of expenditure over receipts	14,639 3 6	Expenses of witnesses in Criminal cases	32 0 0
GRAND TOTAL	45,256 8 6	Total	45,256 8 6

14. CRIMINAL.—During the year 1876 there were 41 cases committed to the Recorder's Court as a Court of Sessions. Of these, 31 were committed by the Magistrate and 10 by the Assistant Magistrate of Rangoon. There were two cases where European British subjects were committed to the Court as a High Court, *viz.*, one by the Town Magistrate of Rangoon, and the other by the District Magistrate of Prome. In the former case, sentence of death was passed, and confirmed by the High Court of Calcutta.

15. At the close of 1875 there were three cases pending, making altogether 46 cases for trial during the year; 43 cases were disposed of, and three were pending at the end of the year.

16. There was one reference to the Special Court, under Section 76 of the Burma Courts Act.

17. There were 12 Criminal appeals from the decision of the Magistrate, and 13 from the Assistant Magistrate, or 25 in all. Of these, 24 were disposed of during the year, and the result is given in statement No. 5. One remained pending at the close of the year.

18. In 1875 there were 44 cases committed to the Court as a Court of Sessions, and 3 as a High Court; and there were 29 appeals. The following table gives a comparative statement of the number of cases committed, and appeals instituted, in each of the last three years :—

Year.	Sessions cases.	Criminal appeals.
1874	46	19
1875	47	29
1876	43	25

19. Besides the above appeals, there were six criminal miscellaneous cases disposed of by the Court as a Court of Revision during the year.

General Remarks.

20. Litigation in the Recorder's Court has not been characterized by any marked change during the year under review. It is, however, satisfactory to note that there has been an increase both in the number of regular suits instituted and in the revenue of the Court. In 1874 the receipts were very low, but in the following year they rose to Rs. 24,652; whilst last year they amounted to Rs. 30,617: giving a deficiency of receipts over expenditure of only Rs. 14,639-3-6, which amounted in 1875 to Rs. 19,096-6-0. The increased expenditure is chiefly owing to the extra pay given to the Officiating Judicial Commissioner whilst acting as Recorder during my absence on leave; and a small increase in the contingent account was incurred from the necessity of purchasing new articles of furniture when the Court removed into the new buildings, in October last.

21. It may be considered, too, a matter of some satisfaction that the average duration of suits is less than usual, though for my own part I put little value on such statistics when they stand alone. They are in my opinion very misleading, as no accurate, or even approximate measure of the Court's diligence in the disposal of its business can be made from them. Each individual case, as well as the scope of the Court's jurisdiction, and hence the nature of the suits that it has to deal with, should be regarded, but which seem to be lost sight of in the observations that are usually made on the results shewn by the Courts in this country; and a Judge is either commended for diligence or held up to censure, according as his average is high or low.

22. A Court, the character of whose business is simple, and where the parties and their witnesses are to be found in its immediate neighbourhood, should generally be able to dispose both of its contested and uncontested cases in little more than the time fixed for the return of the summons, and a much larger average duration would be indicative of dilatoriness on the Judge's part; but no such infer-

ence can be drawn where the Court has a different character of business to deal with, arising out of a wider and more varied jurisdiction. Suits for debt may then, as a rule, be as quickly disposed of as in the other Court; but circumstances will frequently arise necessitating long postponements, or the suits in their very nature will take years before they can be disposed of—as, for instance, administration suits where there are infant children, suits to administer trusts, suits in which lunatics and their property are concerned, or suits relating to partnerships;—and therefore, to add every year which these suits have been pending to the time in which suits of a simple character are disposed of, and divide the aggregate period of duration by the number of suits decided in any one year, and call that the average duration, can only give a false idea of how the business of a Court is conducted; for it inordinately lengthens the seeming time that ordinary suits take, and to the same extent reduces the pendency of the special suits.

23. There is another fact which I do not think has been considered in estimating the rate at which suits are disposed of in the Recorder's Court, and that is, that the Court is also an original and appellate Criminal Court, and that the time, therefore, in which the Judge is occupied in session or business other than original civil work, tends to increase materially the pendency of suits. Six working weeks in the year must at least be deducted for this class of work, during which all civil business is suspended. In the year under review, a much longer period would have to be deducted for one criminal trial, now generally known as "the conspiracy case," in which 26 persons were tried, occupied 25 days; and another case, in the Matrimonial and Divorce Jurisdiction of the Court, took nearly the same time; and as far as the Court could control their duration, I do not think either lasted a single hour less than they should have occupied. These are circumstances which go to shew that the bare figures do not correctly indicate what they are supposed or intended to shew.

24. The following example will shew how misguiding is the formula adopted for measuring the duration of suits:—One suit on simple contract is decided in fourteen days; another, in a year, it having been unavoidably delayed for the return of a Commission sent to examine a material witness in a distant country; and a third, a suit between partners, where, from the nature of the partnership, it could not be wound up under three years,—are all finally disposed of in the same year. According to the present mode of calculation, the average duration of each of these totally different kinds of suits is 491 days. Each suit, according to its nature, has been decided as soon as it could have been; and yet the simple contract suit is made to appear as having taken 491 days to decide, and the partnership suit only the same time, although the latter really has lasted nearly 36 times as long.

25. On the other hand, I have seen returns shewing the average duration of contested suits to be as low as seven days; but such a return, if it shews activity in the disposal of business, raises a strong suspicion that the quality of the work was in the inverse ratio, besides

shewing that the ordinary procedure was altogether disregarded; and further suggests the idea that the fear of not being able to shew clean files at the end of the year had not been without its influence in prompting such activity.

26. As regards the despatch of business in my Court, I may with confidence say it is conducted with a promptitude that will bear not unfavorable comparison with other Courts of a similar character; and that my habit of giving an oral judgment at the close of the trial, instead of postponing the case to write a judgment, as was formerly the practice, has diminished the length of time that used to be taken. It is seldom that I require to take time to consider the judgment I am to give; but, because in some of the instances when I have done so I may have, under special circumstances, delayed writing out my judgment somewhat longer than those interested may have deemed sufficient for the purpose, I can hardly conceive that it could have any such effect as the Chief Commissioner, in the 8th paragraph of his Resolution on the Annual Report of last year, infers it has had, considering that I dispose of my cases more quickly than was the case before I presided in the Court; and it being the fact, also, that the class of business to which I referred in my report had not declined. The Chief Commissioner was attempting to find a solution of a fact at the existence of which I had expressed some surprise; but it is difficult to accept it as the correct one, seeing that the cause assigned for it could only have come into operation after the existence of the fact itself.

27. The connection which the Chief Commissioner thinks he observes between the paucity of litigation and the length of lawsuits, I am confident will be seen to have no existence in reality, if the subject is investigated. Other reasons have been put forward in former Reports and Resolutions to account for this comparative dearth of the more important kind of litigation in a large commercial town like Rangoon, which I think commend themselves by their greater weight as the true cause; for I can hardly suppose, if there was nothing else to influence it, that litigation would be suppressed, or repelled from making its appearance in Court, by what is after all merely the result of an arbitrary formula.

28. In justice to myself, I must be permitted to question the fact that lawsuits had lengthened in 1875. No doubt, if the figures are taken without explanation, they shew that the duration of suits had expanded from 82 days in 1874 to 103 days in 1875; but I had hoped I had satisfactorily explained the reason for the seeming increase. It was not caused by any increase in the duration of the ordinary suits on the files of the Court, but solely by bringing into the calculation the time four old suits, instituted in 1872, had been pending from exceptional causes beyond the Court's control, which I need not recapitulate. Had these been eliminated, the average duration of the other suits would have been less than in the preceding year.

29. The statistics of the Court of Small Causes show a decrease in the number of suits instituted in the past, as compared with that of the preceding year; but as 1875 is generally admitted to have been an exceptional one in respect of litigation in the Court, what-

ever may have been the particular circumstances that conduced to make it so, I do not regard the decrease as indicative of any real retrogression; for when the result is compared with that of 1874, when the number of regular suits instituted was 4,197, and the surplus income only Rs. 7,074-12, it shows that the business and profits of the Court are steadily advancing, and keeping pace with the growth of the town and the development of its trade, the number of regular suits instituted in 1876 being 4,929, and the excess of receipts over disbursements Rs. 18,319-15-7, or 545 suits and a nett income of Rs. 9,514-12-0 less than in 1875.

30. As regards the manner in which the business of the Court has been disposed of, I am satisfied there has been an improvement, greater care having been observed both in respect to procedure and the trial of suits. Mr. Lingham has only presided in the First Judge's Court since April of last year, but during that time his work has been characterized by energy and carefulness, and suitors have derived much advantage from his legal knowledge and experience. During his short incumbency he has effected several useful reforms, which have tended to facilitate the despatch of business in his Court; and although the average duration of suits is not as low as it has been in some previous years, he has given a reasonable explanation for it, and shown that there has been no delay as far as he was concerned.

31. The Second Judge has been influenced by the strictures that were made last year on the unsatisfactory manner in which the business of his Court was carried on, and has evinced his desire to do justice between parties, by greater carefulness in examining into their cases than had hitherto been exercised. The result is shown in the increase of decisions in favor of defendants, and in a reduction in the number of *ex-parte* decrees, indicative of a better observance of procedure.

32. It is hardly to be expected that this result would have been attained at the low average duration of suits that he had hitherto been able to show; but an increase of 11·41 days in contested cases is not altogether explained by greater care in disposing of them, as they are not shown to have been of a different character than formerly, when they were decided so rapidly. The solution perhaps may be that, having more carefully heard both sides, he found more difficulty in coming to a conclusion, and hence that he required a longer time to decide. His having been able to dispose of all the suits filed in November before the 10th December shows that it is possible to decide the cases that ordinarily come before that Court within the previous average time, and that although the past year has been marked with greater carefulness in the Second Judge's administration of the law, twenty-one and a half days are more than was requisite for the disposal of contested suits.

33. The nature and scope of the changes that I deem necessary in order to place the Court of Small Causes on a sound footing having been submitted to the Chief Commissioner, he has concurred in the necessity of a change; and, as the Second Judge has intimated his desire to terminate his long service by retiring, the opportunity will, I understand, be taken to redistribute the Judicial work of the Court,

and amalgamate the offices as I have advised; and with that view I will shortly submit for the consideration of the Chief Commissioner, in compliance with his request, a set of rules under Section 16 of Act XI. of 1865, in substitution of the rules which are now in operation.

34. When making these alterations, it will in my opinion be necessary to increase the office establishment, especially by appointing Interpreters and adding to the number and increasing the wages of the process-servers, who are at present too few and underpaid, with due regard to the efficient working of this department of the Court. I will submit in detail the alterations that are necessary when I send in the draft of the proposed rules.

35. As it is decided to appoint a Burman to the vacancy on Moung Oon's retiring, it will not, I hope, be deemed out of place if I express my opinion that his successor should be a person of some legal proficiency, and possessed of a knowledge of the English language, or he will be unable to undertake all the duties of his position, for he could not sit with the First Judge to dispose of business under Section 30 of the Act. It is more essential that the Judge should have a knowledge of law than of the Burmese language (though it is a desirable qualification at least in one of the Judges of the Court), for the Burmans are, after all, only a minority of the litigants, the great majority being the money-lending Chetties and other Madras castes, and the traders from the Bengal and Bombay Presidencies.

36. With respect to Mr. Lingham's remarks on the general aspect of litigation in his Court, I do not altogether concur with him. I cannot regard the fact that suitors take their demands into Court without previous legal advice at all as an unmixed evil. It may, and probably does, occasionally throw a little additional labour on the Judge, in having, as Mr. Lingham calls it, to separate the chaff from the grain; but the great merit of a Small Cause Court is that the parties can go before it and state their respective cases, and get a decision, without paid assistance. There is but a very small percentage where anything more than the facts have to be stated, or where an Advocate such as those who usually frequent this class of Courts is of much assistance to the Judge or suitors; and I think if they were employed less frequently, whilst it would accelerate business, it would not impair the quality of the justice administered, and suitors would be saved an unnecessary expense. The simpler the proceedings in a Court of this kind are the more the public will appreciate its ready justice; and Judges, I think, should rather encourage parties to come and state their own cases, than wish to have them stated for them by, perhaps, the first pleader the suitor has picked up about the Court. Cases, of course, do occur when professional assistance is of the greatest benefit to the Judge, and he would be glad to have it; for when a case has been properly put before him and argued, he has had an opportunity of considering it in all its bearings, and has therefore much more confidence in the correctness of the decision he pronounces. But these are the exceptions; and I am sure Mr. Lingham, unaided, with his habits and knowledge of business, would be more likely to fathom the deceits of astute money-lenders, with their "on-demand receipts" and palm-leaf accounts, than if he were assisted by some

half-educated pleader, who knows as little of the world as he does of the law he professes.

37. To extend the jurisdiction of the Court of Small Causes to the settlement of partnership matters, as Mr. Lingham suggests, would be putting the Mofussil Small Cause system to a use for which it was not designed, and for which it has not the requisite machinery; besides, the amount of inconvenience to parties in this town can be very slight, considering there is a Court of competent jurisdiction already, where such matters can be more efficiently and effectually adjudicated upon, with as little expense as would be incurred by parties if the Court of Small Causes had jurisdiction.

38. With regard to the operation of Section 8 of Act XI. of 1865, I do not see where is the necessity for giving further jurisdiction to the Court; for if the cause of action in the instance alluded to has arisen in Rangoon, the Court here would have jurisdiction to entertain a suit for the advances when the debtors came to reside in Rangoon for the temporary purpose of selling their rice, although they may have their permanent residence outside of the local limits of the Court's jurisdiction.

39. I am not prepared to recommend the introduction of the Presidencies Small Cause Act into Rangoon, for, in the very particular for which Mr. Lingham suggests its adoption,—namely, the non-recording of the evidence and judgment,—I consider it is very defective, and the defect is one that the mercantile and trading communities of Calcutta strongly cry out against. It is necessary the Judge should have a sufficiently full note of the evidence before him, to guide him in giving his judgment; and without some such record, the superintending Court would have no means of judging of the efficiency or character of the work done; and besides, the actual facts in evidence are frequently required to be seen by the Court of Reference in cases where points of law, &c., are sent up to it for decision. I do not think that, if the procedure laid down for the trial of non-appealable cases is followed, any very extra labour is cast on the Judge that he should not have.

40. At the time Act I. of 1875 was being passed, I suggested that it should be extended to Rangoon; but, upon consideration, this was deemed unnecessary, having regard to the requirements of the place; and I am not aware of the circumstances which influenced this determination having changed in the meantime, to require the Act now to be extended.

41. With reference to the administration of Criminal Justice in the past year, although there was a greater number of persons brought to trial and convicted than in the previous year, I do not think there has been any real increase in crime; for, after putting aside the increase in the number of non-bailable reported offences, the increase in bailable reported cases, and the number of persons brought to trial and convicted, is for the most part referable to petty offences under the head of Class IV. of Criminal Statement No. 2,—such as Municipal, Hack-carriage, Cantonment, and Lock hospital Rules, and a new class of offence here, trespassing on the Railway,—which of themselves shew an increase of 1,871 convictions over the year 1875.

42. Unhappily, murders have increased from two in 1875 to seven in 1876; but these are not affected by the restraining influence of the Police; nor, perhaps, amongst a people like the Burmese, has condign punishment, following speedily on the commission of the crime, as deterring an effect as could be wished. To the softening influences of advancing civilization and a change in the habits of the people can alone be hoped a reduction in such crimes. Amongst so easily excitable a race as the Burmese, where an injury is no sooner conceived than it is desired to resent it, the ever-present *dah* is a means which, without the slightest compunction or thought, is at once used to perpetrate them. Until the people are induced to make use of some other instrument in domestic use to which the *dah* is now put, these violent crimes will be constantly occurring.

43. Grievous hurt cases have increased by five; but, as only one was committed to the Sessions, it may be presumed the others were not of a serious character. Of robbery there was one, and of theft 18, more than in the previous year; but, on the other hand, house-breaking cases were less by nine, and for receiving stolen property, by seventeen. Six offences relating to coining went to increase the number of non-bailable offences. Excepting these and the murder cases, it will be seen that the other offences coming under the non-bailable class were not of a specially heinous or different character to, or more numerous than, those of the year before.

44. As indicative of care on the part of the Magistrates in issuing summonses on complaints made to them, the numbers of persons acquitted or discharged is less by 712. But I do not regard this return as conclusive that care had not formerly been taken to see that a *prima facie* case was made out before granting the summons. Some Magistrates require almost *proof* of the alleged offence before they will do so; whilst others consider that it should be issued almost as of course on application. The correct course is in the mean of these practices; and if the Magistrate has reason to believe, after examining the complainant on oath, that there is foundation for the charge, he should grant the summons. It possibly may be, and no doubt it is, the fact that many of these cases are afterwards settled, and nothing further is heard of them. This cannot, however, be avoided, for the offences are generally such as may be arranged by the parties; and because the complainants choose to do so, it is no reason why they should be deprived of their right to a summons. Whilst it should be the object of the Magistrate to prevent people being harassed by vexatious and frivolous complaints made against them for ulterior purposes, it should also be his endeavour to give every one the redress the law entitles him to; and I consider that the Magistrates here are generally careful to make the proper enquiries before issuing summonses to complainants.

45. I would make one observation respecting the difference in the returns of "reported cases" between the last two years and the one preceding them, which perhaps has not been noticed in comparing the state of crime. In 1875 and 1876, as Mr. Adamson's report shews, the returns do not include every case that has been reported to the Police, but only such as, after investigation by the Police

themselves, are considered to have foundation in fact; whereas in 1874, and previously, all cases except those which were manifestly false, it appears, were entered in this return: consequently, according to the procedure adopted, the return would show an increase or decrease without there being a relative alteration in the amount of crime.

46. Probably the present system gives a more accurate representation of the state of things, *i.e.*, of the *offences* that actually have occurred; but, at the same time, care will have to be taken that cases are not omitted which should be inserted, either from the Police not having been able to trace the particular case, and the natural tendency there is not to make too observant their want of success on the one hand, and on the other to show the existence of as small an amount of crime as possible. If the object of the return is to shew the Magistrate the actual offences that have taken place, the course which Mr. Adamson shews is now adopted is preferable; but if it is to shew him how the Police investigate cases, what amount of success attends the investigation, and whether the reports are true or false, the former practice has also its advantages.

47. The increased number of persons under trial and convicted of bad livelihood without any special cause assigned implies that the Police are still prone to resort to this summary, and, to them, easy mode of suppressing crime. The Magistrates' attention will be directly called to this subject, as well as to the Chief Commissioner's remarks thereon in the Resolution on last year's Report.

RANGOON,
The 20th April 1877.

C. J. WILKINSON,
Recorder.

COURT OF SMALL CAUSES, RANGOON.

From the First Judge of the Court of Small Causes, Rangoon, to the Recorder of Rangoon,—No. 22, dated the 8th March 1877.

I HAVE the honor to submit the Annual Report on the administration of this Court for the year 1876.

Personnel.

2. I took over charge of my office as First Judge on the 3rd April 1876. I arrived on the 31st March from Calcutta, and was ready to assume charge on that day. I was induced, however, to refrain from doing so at the request of Mr. Bainbridge, who had been officiating during the earlier part of the year. He represented to me that he had to prepare judgments in some cases he had then heard, and that if he did not deliver these judgments himself the parties would be put to the trouble and expense of having the cases re-heard.

3. Moung Oon has filled the office of Second Judge throughout the year. He left however on the 10th December to attend the Imperial Assemblage at Delhi.

4. During the October vacation the Courts have been removed to the new buildings, and the opportunity has been taken to renew and renovate the furniture.

5. Notwithstanding the remarks in paragraph 10 of the Chief Commissioner's resolution on the Judicial Report for 1875, No. 200, dated 21st August 1876, the Courts continue to be separate, with separate establishments, records, and books. I am awaiting the passing of the rules to carry into effect the contemplated amalgamation.

6. In obedience to the Chief Commissioner's direction contained in that resolution, I now report on the working of the whole Court.

7. Before I proceed I must acknowledge the assistance rendered to me by the Second Judge, since the publication of that resolution, in my endeavours to improve the working of the Courts as a whole, and to render the action of the two Courts as harmonious as is possible under the present system.

Institutions.

8. The total number of suits, regular and miscellaneous, instituted in 1876, was 8,359, as against 9,933 in 1875, and 7,078 in 1874. This is a decrease of 1,574 as compared with 1875, and an increase of 1,281 on 1874.

9. During 1875 there were two commercial panics, one in the spring and the other in the autumn, when all classes of the community, not Burmans merely, were eager for the immediate realization of the outstandings due to them. There was consequently a greater number of institutions than the ordinary rate of development would warrant. In order to make a fair estimate of the working of these Courts for 1876, I have introduced a comparison, not only with 1875, but also with 1874.

10. The following table will contrast the institutions in 1876 with those of 1875 and 1874 respectively :—

YEAR.	Number of regular cases instituted during the year.	Number of miscellaneous cases instituted during the year.	Total number of regular and miscellaneous cases instituted during the year.	Number of regular cases disposed of during the year.	Number of miscellaneous cases disposed of during the year.	Total number of regular and miscellaneous cases disposed of during the year.	Number of regular cases pending at the close of the year.	Number of miscellaneous cases pending at the close of the year.	Total number of regular and miscellaneous cases pending at the close of the year.
1876	4,929	3,430	8,359	5,044	3,447	8,491		67	163
1875	5,483	4,450	9,933	5,408	4,453	9,861	212	84	296
1874	4,197	2,881	7,078	4,195	2,873	7,068	137	85	222

11. It will be seen that, as compared with 1875, the decrease in the number of regular cases was 545. This decrease is greater in proportion in the First Judge's Court than in the Second Judge's Court, being 503 and 42 respectively. This disparity will be commented upon hereafter.

12. The following is a statement of the number and value of the regular suits instituted before each Judge month by month, and exhibits the fluctuations during the year :—

Month	FIRST JUDGE.		SECOND JUDGE.		TOTAL	
	No	Amount.	No	Amount.	No.	Amount
		Rs. A P.		Rs A P		Rs A. P.
January 1876	286	29,250 0 1	136	7,683 9 6	422	36,933 9 7
February "	266	25,470 7 6	140	7,129 13 3	406	32,600 4 9
March "	278	32,712 14 5	176	9,759 14 2	454	42,472 12 7
April "	232	22,539 2 8	145	6,773 12 6	377	29,312 15 2
May "	276	23,489 15 6	197	10,237 6 9	473	33,727 6 3
June "	259	20,074 13 10	212	9,915 8 8	471	29,990 6 1
July "	283	30,553 10 9	163	9,980 15 4	446	40,534 10 1
August "	319	32,124 12 1	178	11,354 12 2	497	43,479 8 3
September "	271	26,358 1 6	135	7,311 14 1	406	33,669 15 7
October "	28	1,727 5 4	72	4,316 14 4	100	6,044 3 8
November "	383	39,521 9 10	202	10,424 10 7	585	49,946 4 5
December "	290	25,185 8 5	2	488 2 0	292	25,673 10 5
Total	3,171	3,09,008 5 11	1,758	95,377 4 11	4,929	4,04,385 10 10

13. The number of suits in which the plaintiffs alone, or both parties, were Burmans, was only 405 in 1876, as against 824 in 1875, or a decrease of 419 regular suits. The general deficiency in the institutions of the year is 545: consequently, all but 126 is due to the abstention of the Burmans.

14. The Burman suits have also fallen below the number in 1874 by 156.

15. But it is very remarkable that, notwithstanding this falling-off in litigation by the Burmans, the institutions by them in the First Judge's Court was increased last year by 16 cases on 1875, and 44 on 1874. They decreased in the Burman Judge's Court by 435 suits as compared with 1875, and 200 as compared with 1874, as the following table will show:—

	Suits in which		
	The plaintiff alone was a Burman.	Both parties were Burmans.	Total.
In 1875—			
First Judge's Court	33	74	107
Second ditto	102	615	717
	135	689	824
In 1876—			
First Judge's Court	37	86	123
Second ditto	41	241	282
	78	327	405
In 1874—			
First Judge's Court	21	48	79
Second ditto	72	410	482
	93	458	561

16. In 1875 about one in eight of the Burmans elected to use an English record, whereas in 1876 the proportion has increased to about one in three. This result, coupled with the fact that the great majority of suitors who resort to the Second Judge's Court are not Burmese, points to the desirability of dispensing with the Burmese records and books.

17. The value of property litigated in the suits instituted is—

In 1876.	In 1875.	In 1874.
Rs. 4,01,385	Rs. 5,44,229	Rs. 3,44,066

or an increase in 1876 of Rs. 60,219 over that of 1874, and a decrease of Rs. 1,39,844 on that of 1875.

18. The average value of each suit has fallen from Rs. 100 in 1875 to Rs. 82 in 1876, which was also the average value in 1874.

Work done. Regular suits before the First Judge.

19. Before the First Judge there were 202 regular cases pending from 1875. He disposed of 3,277 regular suits in 1876, but at the close of that year there were only 96 pending. Of these, one only was pending over two months. The disposal of that case had been put off for the return of a commission issued to examine witnesses at Madura, in the Madras Presidency.

20. The following table exhibits the particulars of the suits pending at the close of 1876:—

Cases instituted in 1876, but not returnable till 1877	61
Cases fixed for 1876, but not disposed of by reason of non-service or want of proper service of summons	31
Put off in consequence of the parties not being ready	4
	96

21. The number of cases decided after contest was 906. But 35 more out of the 49 regular suits withdrawn, with leave to sue afresh, were also contested. They were suits in which the plaintiff appeared to have a good case had he laid it properly, but in which it would have been unfair to the defendant to have allowed an amendment after both sides had closed their respective cases.

22. In 1875 the First Judge decided only 808 contested regular suits.

23. The proportion of regular suits heard *ex parte* before the First Judge was 37·5 per cent. of the number for disposal.

24. There were 542 suits dismissed for default, but the great majority of them have been compromised out of Court, and the parties did not trouble themselves further in the matter. A number of these suits have been restored to the file and afterwards decided, but they do not appear in the other returns.

Regular suits before the Second Judge.

25. The Second Judge commenced the year with 10 regular suits pending. He disposed of 1,786, and he left on the 10th of December to visit the Imperial Assemblage at Delhi, with a file clear, having disposed of all the regular suits. He decided 302 suits after contest, as against 239 in 1875; while the number of suits decided *ex parte* was 35·35 per cent. of the number for disposal.

26. Out of the 302 contested cases, 231 were in favour of the plaintiff, either wholly or in part, and 71 for the defendant. This proportion is more in accordance with the Second Judge's own work in 1874 (when he decided 183 for the plaintiff and 126 for the defendant), than his work in 1875, when 225 were decided in favour of the plaintiff, and 14 only for the defendant. It is a result also more in accordance with the working of the First Judge's Court for some years past, and with that of the Recorder's Court.

27. The success of the plaintiff class in 1875 goes far to account for the tendency of a large portion of British Indians other than Bur-

means to resort to the Second Judge's Court and to avail themselves of the option still allowed them as to which Court they shall have recourse. Suitors of course prefer that Court in which they think it more likely they will be successful. A glance at the number of institutions before the First Judge in the months of November and December, with the fact that the Second Judge left for Delhi on the 10th December with a blank file, will shew that the class who resort to the Second Judge's Court preferred postponing their institutions till his return rather than proceeding before the First Judge.

28. I am glad to note that applications by defendants to transfer suits from the Second Judge's file to that of the First Judge have latterly become very much less frequent.

29. Both Judges have sat together for the disposal of some cases which defendants had applied to transfer from the Second Judge's file. But I regret we are not able to sit together more frequently, as we do not understand a common language, and are therefore compelled to carry on our deliberations through the medium of an interpreter. I attach very great importance to the two Judges sitting together frequently for the disposal of business.

Miscellaneous work done by the First Judge, other than execution of decrees.

30. The following table shews the nature of the miscellaneous work other than application for executions of decrees instituted and disposed of by the First Judge during the year under review :—

NATURE OF APPLICATIONS.	Pending at the close of last year.	Instituted during the year.	Total for disposal.	Granted.	Refused.	Executed.	Unexecuted.	Pending at the close of the year.
For reference to High Court	...	9	9	9	...	.	..	...
For removal of attachment	4	99	103	53	49	..	.	1
To sue *in forma pauperis*	1	36	37	14	19	...	.	4
For new trial	1	78	79	32	44	...	...	3
For discharge under Sections 273 of Act VIII. of 1859 and 8 of Act XXIII. of 1861	2	82	84	39	44	...	...	1
To transfer cases from the Second Judge's file	..	*36	36	33	3	...	..	...
To transfer decrees to other Courts for execution	..	66	66	66	...	....	...	..
Commission from other Courts to examine witnesses	...	22	22	...	...	12	10	.
Processes from other Courts forwarded to this Court for service	...	83	83	..	...	36	47	..
Other cases	1	83	84	52	28	..		4
Total	9	591	600	295	187	48	57	13

* Three of these applications were made and granted by my predecessor without any notice to the other side, and therefore no miscellaneous cases were made or shewn in the register.

31. It will be seen that there were no less than 103 claims under Section 246 of the Code of Civil Procedure for the release of attached property. All were disposed of save one, which was pending. These claims are generally hotly contested both on the law and the facts, and largely occupy the Courts' time and attention.

Miscellaneous work done by the Second Judge's Court other than execution of decrees.

32. The following table shows the nature of the miscellaneous work of the same description done by the Second Judge :—

NATURE OF APPLICATIONS.	Pending at the close of last year.	Instituted during the year.	Total for disposal.	Granted.	Refused.	Executed.	Unexecuted.	Pending at the close of the year.
For reference to High Court ...	...	...	...	...	...	...	...	
For removal of attachment ..	1	45	46	31	15	...	...	
To sue *in forma pauperis* ...	...	7	7	2	5	...	...	
For new trial ...	8	99	107	50	57	...	...	
For discharge under Sections 273 of Act VIII. of 1859 and 8 of Act XXIII. of 1861 ...	1	35	36	27	9	...	...	
To transfer decrees to other Courts for execution ..	..	42	42	42	..	...	...	
Commission from other Courts to examine witnesses ...	...	5	5	...	.	5	...	
Processes from other Courts forwarded to this Court for service ..	...	18	18	...	...	13	5	
Other cases ...	..	6	6	6	..	..	...	
Total	10	257	267	158	86	18	5	

Duration of suits.

33. The average duration of the regular suits in both Courts is 18·7 days, and although I cannot affirm that this result is as satisfactory as I could desire, yet there is ample to shew that great progress towards good results has already been made.

Of contested suits.

34. The average duration of the 906 contested suits decided by the First Judge is 18 days, as against 23½ days in 1875. And 21·43 days is the average of the 302 contested cases decided by the Second Judge, against an average of 10 days only in 1875.

Of uncontested suits.

35. The average duration of the 2,371 uncontested suits disposed of by the First Judge was so much as 25·53 days, while the 1,465 uncontested suits disposed of by the Second Judge averaged only 7·41 days.

36. The existence in the First Judge's Court till the 30th June last of what has been termed "the dormant file" goes far to account for the high average in that Court. This file has been abolished, and a day is fixed for the hearing of each suit on it being filed. If the summons be unserved in proper time before that date, or if the summons be not served on the defendant before that date, the case is nevertheless called on and the hearing is adjourned to another day then fixed, and so on. In short, the directions of the Code of Civil Procedure on the subject have been carried out. The minimum duration of a regular suit has been increased under the rules passed by the Recorder on the 12th July 1876, so as to give the defendant three clear days, exclusive of the days of service and of the hearing, in order to prepare the defence. If the duration of the 101 suits, which were struck off on the 30th June 1876 for default, and which formed portion of the 202 suits pending from 1875, be excluded, the average duration of the other uncontested suits will be reduced to 14·51 days only; and if the other suits on the dormant file, which were also struck off on the 30th June 1876, be also excluded from consideration, the average duration of what may be termed the working suits will fall very much below that figure.

37. During my administration I have always insisted on strict service of the summons on the defendant three clear days before deciding it in the absence of the defendant. But before I shall be able to attain an average of ten days, as contemplated by the Chief Commissioner, the establishment for service of process must be strengthened, if not doubled. There are only *six* process-servers for the Courts of the Recorder and the First Judge, and two of them have to attend the Court while the Judges are sitting, to call on the cases, arrange the witnesses and the parties, and keep order. It is utterly impossible for so small a number of men to do the work, and postponements, entailing a heavy amount of work on the Judges, is the result. A separate communication will be addressed on this subject.

Uncontested cases before the Second Judge

38. The average duration of the 1,465 uncontested cases before the Second Judge was only 7·41 days, as against 6·75 in 1875. These figures, coupled with the fact that the serving department is very weak, lead to the inference that the rules passed by the Recorder on the 12th July 1876 were absolutely necessary.

39. One of the results of increased care in the stricter service of summons is that 369 suits in the First Judge's Court and 265 suits in the Second Judge's Court were decreed on the admission of the defendants themselves, as against 284 and 254 respectively in 1875.

Execution of decrees.

40. There were 2,647 applications to execute decrees. Of these, 1,449 were fully executed, and in 1,144 partial satisfaction was obtained. The proportion of cases fully executed has fallen from the preceding year, but the general character of the litigation last year fully accounts for the difference. It is not owing to any relaxation or want of effort on the part of Mr. Arrakiel, who occupies the office of bailiff.

41. The following table exhibits Mr. Arrakiel's general yearly statement of receipts for each of the Courts during the year:—

	Tullubana		Fines		Subsistence of Witnesses		Judicial Deposits		Grand Total	
	First Judge	Second Judge	First Judge	Second Judge	First Judge	Second Judge	First Judge	Second Judge	First Judge	Second Judge
	Rs A P	Rs A P	Rs A. P	Rs. A P	Rs A P.	Rs A P	Rs A P	Rs A P	Rs A P	Rs A P
January	522 2 0	180 8 0			476 0 0	69 8 0	8,822 6 8	661 11 4	9,820 8 8	911 11 4
February	488 4 0	237 0 0			425 8 0	135 14 0	7,476 14 11	1,897 3 7	8,390 10 11	2,270 1 7
March	526 0 0	225 14 0			402 0 0	101 0 0	8,497 5 9	1,608 13 10	9,425 5 9	1,935 11 10
April	421 0 0	183 4 0			262 0 0	69 8 0	4,606 14 3	1,130 12 1	5,289 14 3	1,383 8 1
May	536 14 0	307 6 0	2 0 0		444 0 0	189 8 0	6,682 10 7	2,009 4 2	7,665 8 7	2,506 2 2
June	456 8 0	271 12 0	4 0 0		382 8 0	130 8 0	6,280 2 2	2,307 4 6	7,123 2 2	2,709 8 6
July	528 4 0	234 2 0			430 0 0	118 0 0	5,654 3 11	1,352 1 8	6,612 7 11	1,704 3 8
August	548 4 0	274 2 0	4 0 0		493 8 0	124 8 0	7,939 0 5	1,407 15 0	8,984 12 5	1,806 9 0
September	462 2 0	203 14 0			296 8 0	109 0 0	7,442 3 2	862 6 0	8,200 13 2	1,175 4 0
October	23 6 0	46 2 0			5 8 0	10 0 0	2,215 5 6	52 3 0	2,244 3 6	108 5 0
November	532 6 0	310 14 0	6 8 0		416 0 0	180 0 0	5,360 15 6	2,325 13 8	6,315 13 6	2,816 11 8
December	508 14 0	46 2 0			441 0 0	20 8 0	5,827 13 6	356 10 3	6,777 11 6	423 4 3
Total	5 554 0 0	2,521 0 0	16 8 0		4,474 8 0	1,257 14 0	76,806 0 4	15,972 3 1	86,851 0 4	19,751 1 1

42. These Courts have more than paid their expenses, and the following statement of receipts and expenditure exhibits a profit in their working for 1876 of Rs. 18,819-15-7. This is less than in 1875, when the balance of receipts over expenditure was Rs. 26,522-1-11, but more than in 1874, when the balance appeared as Rs. 9,514-12-10. In order, however, to make a proper comparison, Rs. 2,440 should be deducted from the Rs. 9,514-12-10 for part of the costs of the bailiff's establishment, which up to 1875 had not been charged against the Court. This leaves Rs. 7,074-12 as the proper balance for 1874 :—

Statement of Receipts and Expenditure for the year 1876.

	Rs. A. P.	Rs. A. P.
Court of the First Judge.		
Amount realized by stamps on regular cases ...	25,464 0 0	
Ditto ditto miscellaneous ditto ...	1,127 0 0	
		26,591 0 0
Tullubana Fund	...	5,554 0 0
Fines	..	16 8 0
Stamp penalty on insufficiently-stamped documents	..	258 15 0
Sale of two empty stationery cases	..	3 8 0
Court of the Second Judge.		
Amount realized by stamps on regular cases ...	8,105 1 0	
Ditto ditto miscellaneous ditto ...	458 4 0	
		8,563 5 0
Tullubana Fund	...	2,521 0 0
Fines	...	...
Stamp penalty on insufficiently-stamped documents	...	13 14 0
General.		
Amount of Interpreters' fees realized during the year in both Courts...	...	2,394 0 0
Dependency.		
Amount of unclaimed subsistence money for witnesses, paid into the Bank of Bengal by the Bailiff on the 12th January 1877.	465 0 0	...
Total ...	...	45,916 2 0

	Rs. A P.	Rs. A. P.
Court of the First Judge.		
Judge's pay	..	8,196 10 8
Establishment	5,750 0 0	
Contingencies	657 9 9	
		6,407 9 9
One-third share of the Bailiff's pay and pay of four peons of the Bailiff's establishment, debited to this Court by direction of the Recorder ...	..	1,280 0 0
Court of the Second Judge.		
Judge's pay	...	6,000 0 0
Establishment	1,896 0 0	
Contingencies	261 14 0	
		2,157 14 0
One-third share of the Bailiff's pay and pay of three peons of the Bailiff's establishment, debited to this Court by direction of the Recorder ..	.	1,160 0 0
General.		
Amount disbursed to the Interpreters during the year	..	2,394 0 0
Total .	...	27,596 2 5
Balance of receipts over expenditure ..	..	18,319 15 7
Total ..	.	45,916 2 0

43. There is noted at foot a sum of Rs. 465, paid by Mr. Arrakiel to the credit of "Judicial deposits." This sum represents money which has been paid to him as bailiff, as subsistence for witnesses for the years 1874, 1875 and 1876, and by him paid to the peons, but which had been returned to him in consequence of non-service, and was in his hands unclaimed by the suitors. He was desirous of being relieved of the charge of this money, and I directed him to pay it into the Treasury and credit it to "Judicial deposits." This has been done.

44. The accounts also exhibit for the first time the amount collected for and paid to the Interpreters of the Court. I am very desirous that the services of the Interpreters should also be made available as Bench Clerks, and that they should be brought on the regular establishment of the Court and paid as public servants. The fees I have proposed should be collected by stamp labels, instead of cash.

45. Applying the Chief Commissioner's own test, it will be found that the work done by both Judges in 1876 has increased. In 1876, 1,208 regular suits were decided after contest,—906 by the First Judge, and 302 by the Second Judge. In 1875 there were 1,121 of this class,—808 by the First Judge, and 239 by the Second Judge. This shows an increase of 98 in the First Judge's Court and 63 in the Second Judge's Court. These figures suggest that the Court has been more resorted to for the arbitrament of disputes, and that, notwithstanding there was a reflux in the wave of litigation in the year under review, yet the tide is rising and is keeping pace with the advance of the commerce of the place.

46. I now proceed to make a few remarks on the general aspect of the litigation.

47. Coming as I did from professional practice in Bengal, where the first question a Judge or legal adviser puts is—Is the suit barred by the law of limitation? I was much struck by the very recent occurrence of the facts constituting the causes of action. I have only had occasion to consider the Statute of Limitations three times since my incumbency. The litigation is well up to hand, and there are but very few, if any, State demands.

48. There is, however, to my mind too great a tendency on the part of suitors to rush into litigation without proper legal advice and consideration. There is very little of the winnowing process which the submission of cases to legal advice before suit exercises on actual litigation. The chaff with the grain is here placed before the Judge, and legal advice is sought only at the last moment, when a suitor sees a determined resistance is to be made to his claim, or when he thinks the Judge is against his view of the case. The Judge has to act also as the advocate for both the parties. This throws on him a vast amount of drudgery. The general body of suitors employ petition writers to draw up their plaints and petitions, and sometimes written defences; and they obtain the opinion of the Judge without the expense of professional assistance. The explanation given to me is, that the fees usually demanded by the profession far exceed the amount allowed as costs to the successful party.

49. There are 12 Advocates authorized to practise before the First Judge, and 32 authorized practitioners in the Second Judge's

Court. These men in the course of time collect a clientele, and it is their interest to induce as many suitors as possible to go to the Second Judge's Court; and hence the disparity in the deficiency in the number of suits instituted is greater in the First Judge's Court than in the Second Judge's Court.

50. The complexity of the transactions forming the subject of litigation also struck me as remarkable. The place of the *khut*, or bond, of the Bengal Presidency is here taken by the promissory note payable to order, or what is locally termed an "on-demand receipt." A loan is seldom given, or goods sold on credit, save on a negotiable instrument signed by two or more persons, some joining in as sureties only; and when it is considered that very few of the executants can write even their own names; that the inhabitants are most diversified, and speak different languages; that money is collected on account of these notes without any presentation of the notes; that the persons interested as holders are in general numerous, and that each of them takes an active interest in getting in the amount of the notes; that a receipt in writing, or memo. of payment on the note itself, is seldom, if ever taken or required on making payment; that the numerous systems of book-keeping are only more or less imperfect; and that even the most honest do not scruple to take the mark of an illiterate executant on a blank printed form of a promissory note, and only fill up the name, amount, date, and rate of interest where occasion requires, it will be readily conceded that the ability and industry of the Judges of this Court as lawyers and men of business is heavily taxed to decide the very numerous questions which arise every day before them, even on the almost impossible supposition that the parties possessed the ability, as well as the inclination, to lay all the facts truthfully before them.

51. I find that I am compelled to throw out many claims under clause I, Section 6, Act XI. of 1865, because they are suits for the balance of partnership account, and the balance has not been struck. As much of the labour is done here by disciplined gangs of men in partnership,—as, for instance, the reaping of paddy,—and, as the amounts are not very large, I venture to suggest, as matter for the consideration of the Government, whether the restriction should be any longer retained.

52. Advances for paddy given by merchants in the town to cultivators in the district amount to a very large sum of money every year. It is by means of these advances that, not only the expenses of cultivation and the Government revenue is met, but the cultivators in the interior provide themselves with their articles of clothing in Rangoon. These advances are met by the cultivators bringing their paddy to the town and selling it there. As these cultivators all reside in the interior, they cannot be sued in this Court in respect of these advances—see Section 8 of Act XI. of 1865. This is well known. Many of them resort to fraudulent practices to defeat the claims of their creditors, and, as it is very inconvenient for the creditors settled in Rangoon to leave their business and proceed to different places in the interior with their books and witnesses, and remain there while their lawsuits are pending, a very heavy rate of interest is exacted by the

creditors, and commission is levied by the sureties in order to cover the risks incurred. I venture to suggest that, as the cause of action in these cases arises within the local jurisdiction of this Small Cause Court, it should be empowered to try suits for such advances. Both the debtor and creditor would be benefited. The creditor would naturally, by obtaining a more ready means of recovering his money, be able to reduce the rate of interest; and the debtor would not be put to much hardship to defend himself in Rangoon, where the evidence in such suits would be more readily procured than in the country.

53. I have the honor also to suggest that Act I. of 1875, "an Act to regulate disputes for rent in the Presidency towns," should be extended to Rangoon. The reasons for enacting that law for the Presidency towns apply with the same force to Rangoon.

54. Suitors in British Burma, unlike the natives of India proper, do not evince any great anxiety to appeal whenever the decision is adverse to them. The work now entailed upon the First Judge, under the Mofussil Small Cause Court system, which requires him to note in his own hand the substance of the evidence given by all the witnesses, and to write out a judgment in every case, whether contested or *ex parte*, is now about as much as he can with due diligence perform.

55. I submit for the consideration of the Government, in the event of the work increasing, whether the Presidency Small Cause Court Act and system should not be extended to Rangoon, in lieu of the present system, as more suited to the wants of the people. Under that Act, the summons fee would cover nearly all the costs of the suit; there is very little writing to be done by the suitors, while the Judge would not have his attention divided between investigating the case and writing out the record; and he would be enabled to devote all his time and energy to the trial itself. He could thus dispose of very much more judicial work.

56. Mr. Marsh, the Head Clerk to the First Judge, and Mr. Arrakiel, the Bailiff, Accountant, and Cashier of the whole Court, maintained their reputation for hard work, ability, and integrity in their respective departments. Mr. Vargos and Moung Thee, of the First Judge's establishment, have both deserved notice for steady, hard work.

A. F. LINGHAM,

First Judge, Court of Small Causes, Rangoon.

MAGISTRATE'S COURT, RANGOON

From the Officiating Town Magistrate, Rangoon, to the Recorder of Rangoon,—dated the 19th February 1877.

I HAVE the honor to forward the Annual Report on the Administration of Criminal Justice in the town of Rangoon for the past year.

2. The subjoined table shows the number of offences, bailable and non-bailable, reported during the year, and the number of persons brought to trial, convicted, and acquitted, as compared with similar returns for the preceding year :—

YEAR	NUMBER OF OFFENCES REPORTED DURING THE YEAR 1875-76			Number of cases brought to trial	Number of persons brought to trial	Discharged without trial	Acquitted.	Warned and discharged.	Convicted	Committed	Disposed of by the Local Government.	Died, escaped, or transferred	Pending
	Non-bailable	Bailable	Total										
1875	920	2,988	3,908	3,530	7,101	736	987	341	4,929	83	1	3	21
1876	939	3,278	4,212	3,880	8,705	698	1,011	332	6,607	47	1	1	8
Increase	19	285	304	350	1,604		26		1,678				
Decrease						38		9		36		2	13

3. From this statement it appears that there has been an increase over last year of 1,604 in the number of persons brought to trial, and of 304 in the number of cases reported. This result does not at first sight appear satisfactory, but when taken into consideration with the far more than corresponding increase in the number of persons convicted, *viz.*, 1,678, together with the fact that the increase in non-bailable cases is only 19, I see every reason to be satisfied with the result.

4. I have in the following tables generally compared the figures for the year under report with the figures for the preceding year, as the Police work during these two years has been carried on under the same superintendence, and as I consider that a comparison with the year 1874 would be rather misleading than otherwise as to the actual state of crime in the town.

5. I am convinced that the great decrease in reported cases during the years 1875 and 1876 is not due altogether to the fact that there is less crime, but that the Police have used more diligence in enquiring into reported cases, and have been able to eliminate a great number of absolutely false charges from the number. During the year 15 cases under Section 211, Indian Penal Code, for making false charges, have been prosecuted, and 13 convictions obtained. The Superintendent of Police applied on several other occasions for permission to prosecute cases of this description, but unless it appeared to me that a conviction was certain, I withheld permission, thinking it better that false reports should be made than that persons, through fear of prosecution, should be prevented from making complaints to the Police.

Decrease of reported cases owing to greater care on part of Police.

Prosecutions under Section 211, Indian Penal Code.

6. The following table shows the number of non-bailable cases reported, and the number brought to trial, together with the number of persons tried, acquitted, or convicted:—

Non-bailable Offences.

Year.	Non-bailable cases reported.	Number of cases brought to trial.	Number of persons brought to trial.	Acquitted or discharged.	Convicted.
1875	920	588	672	162	448
1876	939	607	763	179	536
Increase ...	19	69	91	17	88
Decrease ...	...	...	...	...	...

7. From this table it will be seen that the increase in the number of persons brought to trial is 91, and the increase in the number of convictions 88, and that the percentage of persons convicted of non-bailable offences this year bears to the percentage of persons convicted of non-bailable offences last year the ratioof 72·8 to 66·6.

8. Among the non-bailable cases reported this year are six, under Chapter XII, Indian Penal Code, offences relating to coin, for which five persons were convicted or committed to the Sessions. Offences under this chapter are the result of civilization, and must be expected to increase as the country develops itself.

Cases under Chapter XII., Indian Penal Code.

The remainder of the increase is due principally to the number of murders,—a crime which is beyond Police control.

Non-bailable cases for five years.

Year	Number of cases reported	Number of cases brought to trial	Percentage of detection.
1871	409	206	50 per cent
1872	522	260	50 ditto
1873	946	340	36 ditto.
1874	1,220	530	43 ditto
1875	920	538	58 ditto
Average	803	374	47 5 ditto.
1876	939	607	64 64 ditto

9. The above table shows the number of non-bailable offences reported, the number of these brought to trial, and the percentage of detection during the preceding five years, together with the average of these figures compared with this year. From this table it appears that the detection is 6 per cent. better than it was last year.

Offences against property, with violence.

	Cases reported.		Cases brought to trial		Persons convicted and committed.	
	1875	1876	1875.	1876	1875.	1876.
Dacoity						
Robbery	2	3	1	2		4
Extortion	4	3	4	3		1
House-breaking or house-trespass in order to commit theft	34	19	25	13	2	16
Total	40	25	30	18	2	21

10. These offences shew a most satisfactory decrease. The number of reported cases being 93, 40 and 25 respectively in 1874, 1875, and 1876.

Decrease in house-breaking.

The decrease is due principally to cases of house-breaking which have fallen from 78 in 1874 to 34 and 19 in 1875 and 1876 respectively. This speaks very strongly in favour of the Police, as house-breaking by night is a crime which can in great measure be prevented by an alert and vigilant Police, and which will always increase as soon as the night Police are neglectful of their duties.

11. The increase in convictions obtained is also most satisfactory, 21 convictions being obtained out of 25 cases reported. There were no

dacoities during the year under review, and three cases of robbery reported, for which four persons were tried and committed, against two reported cases last year, without any conviction.

Offences against property, without violence.

	Cases reported.		Cases brought to trial.		Persons convicted and committed.	
	1875.	1876.	1875.	1876.	1875.	1876.
Theft	744	762	382	440	346	411
Dishonestly receiving stolen property... ..	87	70	87	70	72	70

12. The reported cases of theft and of being in possession of stolen property are 832, against 831 in the previous year, while the convictions have increased from 418 to 481.

Detail of violent crime.

Description of Offences.	Cases reported.		Cases brought to trial.		Persons convicted and committed.	
	1875.	1876.	1875.	1876.	1875.	1876.
Murder	2	7	1	7	1	7
Attempt at murder	1	..	1	..	1	...
Culpable homicide	2	1	2	1	2	1
Grievous hurt	13	18	11	17	10	19
Ditto on grave and sudden provocation ...	3	1	3	1	3	1
Hurt	63	78	63	78	56	74
Do. with dangerous weapons	20	29	18	29	17	41

Murders.

13. During the year there were seven cases of murder committed to the Sessions Court. Of these, one took place in 1875, and in one case the accused was convicted in the Sessions Court of hurt only. The actual number of murders, therefore, ascertained to have been committed during the year is five. and in each of these cases the offender was convicted and sentenced,

Although the number of murders has increased, yet the fact that in every case prompt punishment has followed the offence must be regarded as most satisfactory. Murders can seldom be prevented, nor their frequency controlled, except by fear of the consequences; therefore conviction rapidly following each case is the only means of checking this crime.

Attempt at murder, culpable homicide, and hurt.

14. There were no attempts at murder during the year, and of culpable homicide, only one case. All cases of hurt show a slight increase over last year, there being 126 cases against 99 in the previous year. Of these, however, 78 are cases of simple hurt, and there were only ten cases in all, in which a clasp-knife or a Burma *dah* was used as a weapon of offence.

Few cases in which knife was used.

Petty Cases.

	1874.	1875.	1876.
Assault	576	568	514
Insult	118	88	87
Creating a disburbance	163	144	291
Nuisance under Police Act	273	289	90
Breach of local rules and other special laws ..	1,100	718	1,318
Drunk and disorderly	522	311	425
Total ..	2,752	2,118	2,725

Bailable Cases.

Decrease under Police Act.

15. The large decrease shewn in cases under the Police Act is accounted for by the fact that many cases formerly prosecuted under this Act are now prosecuted under the Municipal Act.

Local and Special Laws

16. The total number of cases under this head is 1,318, or an increase of 600 cases over last year. The number of cases under the Gambling and Excise Acts remain much the same as last year, and there is a great increase in prosecutions under the Municipal Act.

17. Summons cases under Sections 352 and 511, Indian Penal Code, remain almost the same as last year.

18. The increase under the head of Petty Cases is 607, or considerably more than the total increase of reported cases.

19. The following table shows the work performed by the several Magistrates, the result of trials held before them, and the state of their files at the close of 1876 :—

Class of tribunal		Number of persons under trial during the year	Discharged without trial	Acquitted.	Warned and discharged.	Convicted	Committed.	Died, escaped, or transferred	Remaining under trial: In custody	Remaining under trial: On bail or recognizance	Number of persons under trial at the close of the year whose cases have been pending over six months
Town Magistrate of Rangoon	Bailable	3,905	423	378	171	2,915	18				
	Non bailable	406	20	76	10	273	17	2	8		
	Total	4,311	443	454	181	3,188	35	2	8		
Assistant Magistrate of Rangoon	Bailable	4,037	245	484	149	3 156	3				
	Non bailable	357	10	73	2	263	9				
	Total	4,394	255	557	151	3,419	12				
Grand Total		8,705	698	1,011	332	6,607	47	2	8		

20. During the first six months of the year Mr. McIver was Officiating Town Magistrate and I was Assistant Magistrate ; but on the event of Mr. McIver taking leave I was appointed Officiating Magistrate, and Baron Bentinck officiated as Assistant Magistrate until the end of November, after which time the Senior Magistrate did the whole of the work of the two Courts.

21. It will be seen from the foregoing statement that the work has been very evenly divided between the two Courts, but that most of the serious cases have been tried in the Court of the Senior Magistrate ; whereas in the year before the number of persons tried in the Assistant Magistrate's Court was nearly double the number tried before the Senior Magistrate. In the year under review there were 698 persons discharged without trial, a slightly lower number than in the previous year, when 736 persons were so discharged ; and I agree with Captain Evanson and Mr. McIver that this number is not excessive, though I believe that it would be slightly reduced if cases could always be taken up on the day first appointed for hearing them. This, however, is often impossible, as, for public convenience, it is necessary to take up all Police cases before summons cases can be attended to ; and it frequently happens that suitors, to avoid the trouble

of attending a second day at Court, compromise their cases, which they would not have done had the case been called on on the day originally fixed.

22. The total number of persons this year committed to the Sessions was 47 in 35 cases. Last year the number of persons committed was 83 ; but 26 of those must be taken from the number, as they were committed in an exceptionable case (the Conspiracy case). There have, therefore, been 10 fewer persons committed than during the preceding year.

There were eight prisoners under trial at the end of the year.

23. The subjoined table shows the punishments inflicted by the different magisterial authorities :—

Class of tribunal.	Persons sentenced to					Persons ordered to		Amount of fine		
	Solitary confinement.	Simple imprisonment.	Rigorous imprisonment.	Fine.	Whipping.	Give recognizance or security to keep the peace.	Give security for good behaviour.	Imposed.	Realized.	Awarded as compensation.
								Rs. A.	Rs A.	Rs.
Town Magistrate	7	30	490	2,518	78	34	26	29,923-4	19,946-12	114
Assistant Magistrate	10	10	362	2,862	84	62	29	24,992-0	18,131-9	245
Total	17	40	852	5,380	162	96	55	54,915-4	38,078-5	359

24. The number of persons who have been sentenced to solitary confinement during the year is 17.

25. The number of persons whipped remains about the same as in the previous year ; while the number of persons called on to furnish security for good behaviour has increased from 34 to 55.

Persons committed to jail in default of furnishing security.

26. The number of persons sent to jail in default of giving security is 60. I am aware this is a large number, but it must be borne in mind that Rangoon is the focus to which all bad characters are attracted when driven by the Police from their haunts. It is the place to which most criminals who are "wanted" in the district fly for refuge, hoping that their individuality may be lost in the crowd. On arriving in Rangoon these persons have no means of livelihood ; they do not come to work ; they hide themselves in *zayats* and hpoongyee *khyoungs* during the day, and sally out at

nights to thieve at *poays* and places of amusement. On their returning home in the mornings, they are frequently arrested by the Police, and are unable to give any account of themselves. On enquiry they are found to be men who have been in jail on former occasions for theft, and to have no means of livelihood and no fixed abode; and they are therefore sent before the Magistrate, and ordered to find security to be of good behaviour. Another reason why bad characters abound in Rangoon is the fact that all prisoners from the whole of the Rangoon district are released in the town of Rangoon without the means of returning to their native villages. This has been the subject of correspondence during the year. The security demanded from these men rarely exceeded two sureties in Rs. 50 each, and was often as little as Rs. 20.

27. The following table shows the detention of witnesses, and the average duration of cases :—

Class of tribunal.	Number of witnesses discharged after				Average duration of cases.	
	One day.	Two days.	Three days.	More than three days.	For previous year, 1875.	For year under review, 1876.
Magistrate ...	3,605	81	2		3 days.	3 days.
Assistant Magistrate	1,935	344	65	11	3 days.	2½ days.
Total	5,540	375	67	11		

28. Only 11 witnesses were detained over three days in the Assistant Magistrate's Court, and none in the Court of the Magistrate. The average duration of cases, *viz.*, three days in the Magistrate's and two and a half in the Assistant Magistrate's Court, is, I think, not very high.

29. The total number of witnesses examined was 5,993, and the total number of persons brought to trial 8,705, or about 1·5 witnesses to each person. As in many cases the policeman making the arrest is the only witness in the case, I do not think this an unfair proportion.

30. It is a noteworthy fact that crime seems to be decreasing in a marked manner among the Madras population. The number of persons brought to trial decreased by about 500 in the year 1875, and has again this year decreased by about 800. The number of persons brought up for trial has decreased by more than 50 per cent. in two years. I am quite unable in any way to account for this fact, unless it may be that the Madras coolies now find work so plentiful on the Railway and Canal, and wages so high at a little distance from the town, that they find it more profitable to go to the district and work than to remain in town and pick up a precarious existence by thieving.

31. The nationalities of the persons brought to trial during the year are shown in the subjoined table—

Nationalities.

	1874.	1875.	1876.
Burmese	3,496	3,156	4,244
Chinese	350	277	448
Natives of Bengal and Upper India ..	1,719	1,146	1,919
Madrassees	2,516	2,013	1,204
Chittagonians	409	317	457
Europeans and East Indians ..	118	192	433
Total ..	8,608	7,101	8,705

32. This table bears out the remarks of the Magistrate last year, that the number of European and East Indian criminals in this country increases annually. This year the increase has been most marked, and I can only account for it by the fact that a large number of Europeans and Eurasians have come to Rangoon attracted by the prospect of employment on the Railway. Many of these persons have been brought before me this year on various charges of a trivial nature. There were only four Europeans during the year whose cases required a more severe punishment than three months, and these offenders were all among the sea-going class.

Appeals.

33. There were five cases, in which 11 persons were concerned, appealed from the Assistant Magistrate to the Magistrate's Court. Of these 11 persons, the sentences passed upon eight were confirmed, on one sentence was modified, and two reversed.

Gambling.

34. There is still a great quantity of gambling in the town; and though I believe the Superintendent of Police, by the action against the head Chinaman last year, has put a stop to the Chinese lottery, yet gambling-houses are still kept in various parts of the town. It is in these houses that stolen property is passed from one hand to another without fear of detection; and so well is this known, that among Burman thieves it is almost an invariable excuse for being found in possession of stolen property that they won it gambling.

35. The Chinese have given a little trouble during the year, but, owing to precautionary measures being taken, nothing serious happened.

36. On one occasion, in October, a riot took place, in which some slight wounds were given and received. The Police with commendable activity arrested 42 of the rioters. These persons were brought before the Magistrate, and by counsel pleaded guilty to the charge. I ordered them all to be bound down to keep the peace for one year, and made the principal men on each side furnish security to a large amount. Security was forthcoming, and I found out that shortly afterwards most of these rioters had been shipped off to China by those who stood security for them. The arrest of these men, and their detention in the lock-up for a few days, had a salutary effect, and the threatened disturbance passed quietly away. The only other offence which attracted much interest was a case of theft connected with the pagoda, and is

Theft from the pagoda.

noticeable from the fact that it discloses a decrease in respect for religious matters among the Burmese youth. In this case the Moungdau Gyee pagoda was scaled at night by some Burmese from Kokein, assisted by the pagoda peons, and some gold and silver bells removed. Six persons were arrested and tried before the Magistrate with reference to this charge. They were all committed to the Sessions, but, owing to the man who was made Queen's evidence denying all statements made by him before the Magistrate, the jury found all the accused not guilty, and they escaped punishment. The man who had been made Queen's evidence was himself tried at the next Sessions, when he confessed his guilt, and acknowledged the correctness of the statement he had made before the Magistrate. It was an unfortunate circumstance that these men should have escaped punishment, as the Burmese expressed great horror at such sacrilege.

General.

37. This year has been on the whole a quiet year: there has been little crime calling for special remark. I have already referred to some prosecutions under the Indian Penal Code for counterfeiting coin. In three of the cases the parties were found in possession of dies for stamping rupees, and from the similarity of the instruments and dies used, I have no doubt that the persons were connected with each other; in fact, it was through a statement made by one man when arrested that the second case came to light. Sentences of six, seven, and 10 years' rigorous imprisonment were awarded by the Recorder, and I have no reason to believe that much spurious coin is in circulation, or that the offence of coining prevails.

38. The judicial work of the office has been well carried on during the year, and Mr. A. T. Stubbs, the Judicial Clerk, is a steady, hard-working man.

Return of Shipping Casualties for the year 1876 and Investigations held by order of the Chief Commissioner under Act I. of 1859 and Act IV. of 1875.

Number.	Case No.	Subject.
16th Jan. 1876	1	Investigation held as to the cause of collision between the British barque *New Era* and the Italian barque *Fenice*.
8th March 1876	2	Investigation held as to the cause of the loss of the Italian barque *Condor*.
30th March 1876	3	Investigation held as to the cause of stranding of the British ship *St. James*.
11th April 1876	4	Investigation held, under the Pilot Rules, regarding the conduct of Pilot Redmond.

39. Besides the above there were 157 miscellaneous cases enquired into, regarding accidental deaths, suicide, lunatics, &c., &c.

RANGOON,
The 19th February 1877.

C. H. E. ADAMSON,
Offg. Magistrate.

PART II.

Courts under the supervision of the Judicial Commissioner

(A.)—CIVIL.

From the Judicial Commissioner, British Burma, to the Secretary to the Chief Commissioner, British Burma,—No. 402-35, dated the 14th May 1877.

I HAVE the honour to forward the Annual Report on the Administration of Civil Justice in British Burma (exclusive of the town of Rangoon) for the year 1876, together with a set of statistical returns.

2. The subjoined table shows the number of cases instituted in the different Courts of original jurisdiction, the number disposed of, and the state of the files at the close of the year, as compared with the similar results for the preceding year :—

Division.	Name of District.	Instituted.		Disposed of.		Pending at close of year.			
						Above four months.		Total pending.	
		1875.	1876.	1875.	1876.	1875.	1876.	1875.	1876.
Arakan.	Akyab	1,399	1,564	1,397	1,563	...	...	8	9
	Do. Small Cause Court	763	891	763	888	...	..	...	3
	Total ...	2,162	2,455	2,160	2,451	...	...	8	12
	Increase ...	...	293	...	291	...	...	...	4
	Decrease ..	..	...	...	...	...	...	..	..
	Kyouk-hpyoo	699	728	698	710	...	...	1	18
	Increase ...	...	29	...	12	...	...	...	17
	Decrease ...	...	...	.	...	...	...	...	.
	Sandoway	340	337	340	335	...	...	...	2
	Increase .	..	...	...	...	...	...	..	2
	Decrease ...	..	3	...	5	...	...	..	...
Pegu.	Rangoon	1,715	1,703	1,717	1,700	...	...	11	14
	Increase .	...	...	...	...	...	...	...	3
	Decrease ...	...	12	...	17	...	...	...	...
	Thonkwa	1,511	1,826	1,508	1,827	...	..	13	12
	Increase ..	...	315	...	319	..	..	...	..
	Decrease ...	...	...	...	...	...	.	...	1
	Bassein	3,534	3,991	3,541	3,980	...	...	21	32
	Increase .	...	457	..	439	...	...	..	11
	Decrease ...	...	...		...	...	..	.	.

Division.	Name of District.	Instituted.		Disposed of.		Pending at close of year.			
						Above four months.		Total pending.	
		1875.	1876.	1875.	1876.	1875.	1876.	1875.	1876.
Pegu.	Henzada	3,662	4,130	3,662	4,137	...	...	13	6
	Increase ...	...	468	...	475	...	...	...	...
	Decrease ...	...	...	...	...	...	...	...	7
	Prome	1,971	1,828	1,984	1,824	...	...	4	8
	Increase ...	...	...	...	...	...	...	...	4
	Decrease ...	...	143	...	160	...	...	...	...
	Thayetmyo	1,185	1,045	1,195	1,043	...	...	6	8
	Do. Small Cause Court, Assistant Judge	360	230	364	229	...	...	...	10
	Do., Do. Judge...	3	11	3	11	...	...	...	...
	Total ...	1,548	1,295	1,562	1,283	...	...	6	18
	Increase ...	...	...	...	...	...	..	...	12
	Decrease ...	...	253	...	279	...	...	...	...
Tenasserim.	Amherst	1,155	1,167	1,144	1,158	1	...	11	20
	Increase ...	...	12	...	14	...	...	...	9
	Decrease ...	...	...	...	...	...	1	...	...
	Shwe-gyoen ...	1,088	1,021	1,089	1,010	...	...	15	26
	Increase ...	...	...	...	...	...	...	...	11
	Decrease ...	...	67	...	79	...	...	...	...
	Toungoo	1,338	1,479	1,337	1,485	...	...	11	5
	Increase ...	...	141	...	148	...	...	...	...
	Decrease ...	...	...	...	...	...	...	...	6
	Tavoy	501	507	497	509	...	..	6	4
	Increase ...	...	6	...	12	...	...	..	...
	Decrease ...	...	...	...	...	...	...	...	2
	Mergui	621	547	625	540	...	...	1	8
	Increase ...	...	...	...	...	...	...	...	7
	Decrease ...	...	74	...	85	...	...	...	...
	Salween	...	31	...	29	...	2	...	2
	Increase ...	...	...	...	...	...	...	...	...
	Decrease ...	...	...	...	...	...	...	...	...
	Moulmein Judge's Court	328	294	327	295	...	...	15	14
	Ditto, Small Cause Court Side ...	2,516	2,175	2,512	2,156	2	...	35	54
	Total...	2,844	2,469	2,839	2,451	2	...	50	68
	Increase	...	...	...	...	...	...	...	18
	Decrease	...	375	...	388	...	2	...	...
	Grand Total...	24,689	25,514	24,703	25,429	3	2	171	255
	Increase ...	...	825	...	726	...	...	...	84
	Decrease ...	...	...	...	...	...	1	...	...

3. The number of suits instituted throughout the province is shown to have been 25,514—an increase of 825 on the number instituted in the year preceding.

4. This increase took place principally in the districts of Akyab, Thonkwa, Bassein, Henzada, and Toungoo. In Thonkwa the new

Court at Ma-oo-bin had been open for the whole year, whereas in 1875 it was only open from April. In some districts the increase is partly attributed to difficulties in trade, which brought those who had advanced money into Court in order to compel repayment of advances; and in other districts it is attributed to general prosperity and increased trade. The assignment of such contrary reasons shows the practical inutility of speculating upon the causes of fluctuations in litigation, which are not very marked or of great importance.

5. The files of the Courts at the close of the year were in a satisfactory condition. The greatest number of suits left pending was 68 in the Court of the Judge of the town of Moulmein; but there is no reason to suppose that there has been improper delay in that Court, or that other than accidental circumstances caused the increase in the number of pending cases.

6. There were no arrears anywhere. In the Assistant Commissioner's Court at Salween two cases had been pending for more than four months; but this was owing to the absence of the Judge of the Court.

7. The next table shows the character of the original litigation in the different districts and classes of Courts:—

Division.	Name of district.	Number of suits instituted for: Money due on contract or damages for breach thereof. Written.	Money due on contract or damages for breach thereof. Unwritten.	Specific performance of contract.	Moveable property, or interest therein.	Damages on account of torts.	Rights arising from status.	Account.	Dissolution of partnership.	Immoveable property, or interest therein.	Other suits not included in the above.	Total.
Arakan	Akyab	606	623	...	174	56	53	...	...	52	...	1,564
	Do. Small Cause Court	269	541	...	42	39	.	...	...	...	...	891
	Kyouk-hpyoo	109	360	...	91	61	40	...	...	63	4	728
	Sandoway	76	100	...	72	29	12	3	...	45	...	337
Pegu	Rangoon	709	443	7	278	106	65	8	...	87	...	1,703
	Thonkwa	507	814	12	185	194	47	...	...	66	1	1,826
	Bassein	564	1,764	1	519	885	147	...	...	100	11	3,991
	Henzada	329	1,714	...	462	1,274	177	...	...	234	...	4,190
	Prome	121	879	47	165	368	106	1	...	141	...	1,828
	Thayetmyo	467	134	...	103	199	57	...	...	85	..	1,045
	Do. Small Cause Court Assistant Judge	143	94	...	..	2	...	...	...	...	.	239
	Do. do Judge	11	...	...	...	...	...	...	...	...	...	11
Tenasserim	Amherst	309	472	..	183	76	40	1	1	85	..	1,167
	Shwe-gyeen	140	632	1	165	26	40	1	...	13	3	1,021
	Toungoo	405	760	2	192	11	53	...	7	40	9	1,479
	Tavoy	42	326	4	39	.	33	...	...	63	...	507
	Mergui	222	252	...	12	32	17	...	...	12	...	547
	Salween	3	22	...	1	5	...	..	...		...	31
	Moulmein Judge's Court	183	49	1	11	3	26	6	1	14	...	294
	Do. Small Cause Side	1,030	1,072	...	61	12	.	...	..	...	...	2,175
	Total ...	6,245	11,051	75	2,695	3,378	913	20	9	1,100	28	25,514
	In 1875 ...	6,347	10,116	296	2,520	2,894	893	341	4	1,256	22	24,689

8. The greater portion of the litigation of the province was to recover sums due on contract. The proportion of suits brought on written contracts was not so high as in the preceding year. This fact does not, however, prove that less recourse was had to recording contracts on documents, for the natural result of recording agreements in the form of documents is to lessen the probability of dispute.

9. The figures for the Thayetmyo district are peculiar, showing 467 suits on written to 134 on unwritten contracts.

10. There is an increase in the number of suits brought for damages on account of torts. This Increase took place, probably, in the number of suits brought for defamation or slander. As the number of prosecutions under the head of "Insult" has decreased on the criminal side, the number of suits on account of defamatory speeches has increased. The number of suits of this description may also have been increased by a decision in the Judicial Commissioner's Court, that the general rule of English law requiring specific damage to be proved in order to support an action for slander was not binding on the Courts.

11. The number of suits brought for immoveable property is largest in the Henzada district, but the proportion of these suits to the rest of the litigation is largest in the districts of Tavoy and Sandoway. In the latter district it amounts to 13 per cent.

12. The value of original suits was as follows :—

Division.	Name of district.	Number of suits disposed of valued at not exceeding							Above, Rs. 1,00,000.	Total value of suits.
		Rs. 5	Rs. 20	Rs. 100	Rs. 500	Rs. 3,000	Rs. 10,000	Rs. 1,00,000		
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		Rs. A. P.
Arakan.	Akyab	100	306	680	418	56	2	1	...	2,07,714 4 8
	Do. Small Cause Court ...	101	340	447	.	...	..	...	...	20,545 15 6
	Kyouk-hpyoo	132	222	281	75	...	..	...	...	29,673 11 2
	Sandoway	61	126	129	18	1	...	...	...	11,591 0 11
Pegu.	Rangoon	67	314	634	433	37	15	...	...	2,01,446 1 8
	Thonkwa	141	433	934	303	16	..	..	..	1,18,651 14 11
	Bassein	489	1,063	1,923	460	43	2	...	...	2,42,210 10 2
	Henzada	928	1,073	2,336	384	15	1	...	...	1,86,774 1 11
	Prome	293	519	880	122	10	...	...	...	75,102 1 4
	Thayetmyo .. .	142	290	426	162	23	.	...	...	54,901 10 5
	Do. Small Cause Court, Assistant Judge ...	76	113	40	..	...	...	...	.	2,779 0 7
	Do. do. Judge ...	...	...	6	5	...	.	..	..	1,192 14 2
Tenasserim.	Amherst	85	339	550	163	15	5	1	.	96,831 6 2
	Shwe-gyeen	152	249	377	182	15	...	...	...	79,666 1 0
	Toungoo ..	177	428	490	279	55	3	...	...	1,60,167 2 3
	Tavoy	56	159	242	47	5	...	...	.	28,683 0 0
	Mergui	61	180	254	43	2	.	..	.	19,217 8 0
	Salween	...	8	12	8	1	.	..	.	3,522 9 6
	Moulmein Judge's Court ...	2	25	117	80	33	12	2	.	2,03,289 5 0
	Do. Small Cause Side ...	94	680	1,019	318	45	...			1,55,386 6 0
	Total .	2,557	6,867	11,977	3,500	372	40	4		1,905,546 12 11
	In 1875 ..	2,381	6,774	11,203	3,674	425	14	4		1,936,100 10 11

13. There is little calling for remark in this statement. The large number of suits valued at a sum not exceeding Rs. 5 is remarkable. There were 2,557 suits of this value instituted in the province, and 236 in one court—that of the Extra Assistant Commissioner at Bassein.

14. The number of suits valued at sums exceeding 3,000 was 44, which is larger than usual: 15 of these were in the Rangoon district. Four suits were instituted exceeding in value Rs. 10,000.

15. The manner in which the litigation was disposed of in the several Courts is shown below:—

Division.	Name of district.	Number of cases brought on the file, including pending from last year.	Transferred.	Withdrawn or adjusted without decree.	Dismissed for non-appearance of either party.	Decreed on compromise or confession.	Decreed *ex-parte*.	Judgment by default.	Decreed by arbitration.	Contested cases. Judgment for plaintiff.	Contested cases. Judgment for defendant.	Pending.
Arakan.	Aryad	1,572	...	252	241	291	348	7	5	321	98	9
	Do. Small Cause Court	801	..	74	179	88	215	...	...	225	107	3
	Kyouk-hpyoo	728	.	144	61	115	90	..	.	208	92	18
	Sandoway	337	...	51	36	92	20	...	..	81	55	2
Pegu.	Rangoon	1,714	7	149	376	349	256	5	6	397	155	14
	Thonkwa	1,830	2	231	394	205	268	8	19	464	181	12
	Bassein	4,012	1	422	560	442	809	14	17	1,092	623	32
	Henzada	4,143	1	215	790	625	275	4	37	1,509	681	6
	Prome	1,832	14	19	479	253	239	1	13	584	222	8
	Thayetmyo	1,051	6	24	127	297	104	6	2	305	172	8
	Do. Small Cause Court, Assistant Judge ...	239	...	16	29	78	66	..	..	23	17	10
	Do. Judge	11	...	...	3	4	3	1	...	...	...	...
Tenasserim.	Amherst	1,178	...	43	129	223	169	35	11	359	189	20
	Shwe-gyeen	1,036	8	27	126	286	120	24	13	250	156	26
	Toungoo	1,490	19	115	110	399	193	3	9	453	184	5
	Tavoy	513	...	4	42	90	38	28	...	215	92	4
	Mergui	548	1	13	59	157	124	...	..	138	48	8
	Salween	31	...	7	...	8	8	...	...	5	1	2
	Moulmein Judge's Court	309	3	24	14	26	113	1	4	76	34	14
	Do. Small Cause side	2,210	2	143	308	162	798	1	2	498	242	54
	Total ...	25,684	64	1,973	4,063	4,250	4,256	133	138	7,203	3,349	255
	In 1875 ...	24,874	98	1,520	3,958	4,389	4,449	246	250	6,883	2,910	171

16. Of 25,684 suits instituted, 10,552, or 42 per cent., were decided after contest in the courts. This is an improvement upon the return of the preceding year. In the district of Rangoon, the proportion was

32 per cent., as compared with 29 in 1875. In Thonkwa, it was 34 per cent.

17. The number of cases dismissed for non-appearance of either party was 4,063. The proportion is very high, but the necessity of punctuality, and of giving due notice to the parties of the days fixed for hearing, is constantly impressed upon the courts.

18. The proportion of cases decreed *ex-parte* was 16 per cent., an improvement upon the return for the preceding year.

19. Only 138 cases were decreed by arbitration.

20. The proportion of cases decided in favour of the plaintiff, including decrees on confession and *ex-parte*, was 61 per cent.

21. The detention of witnesses and the average duration of suits in courts of original jurisdiction, and the average number of adjournments, was as follows :—

Division.	Name of district.	Number of witnesses discharged after				Average duration of suits				Average number of adjournments.	
						For previous year.		For year of report.			
		One day.	Two days.	Three days.	More than three days.	Contested.	Uncontested.	Contested.	Uncontested.	For previous year.	For year of report.
Arakan.	Akyab	2,490	3	...	...	8·6	8·	9·	6·	1·4	1·5
	Do. Small Cause Court...	1,192	..	...	...	3·	2·	3·	3·	1·	1·
	Kyouk-hpyoo . .	1,615	25	8	...	10·5	6·	8·	4·	1·8	2·
	Sandoway . .	623	17	3	..	9·	4·	7·56	4·8	1·52	1·6
Pegu.	Rangoon	2,426	210	17	...	13·2	9·	11·	8·	1·33	1·
	Thonkwa	2,098	64	19	22	10·	4·	13·	5·	1·	1·
	Bassein	5,739	112	..	...	8·66	5·76	12·	6·	1·	2·
	Henzada .. .	7,753	744	351	46	14·	5·	13·	6·	1·9	2·04
	Prome ...	3,250	202	..	5	9·	3·7	16·27	5·34	1·36	1·14
	Thayetmyo	1,758	98	...	...	9·	5·	8·	5·	1·	1·7
	Do. Small Cause Court, Assistant Judge ..	83	...	...	...	8·	4·	7·	6·	1·	1·
	Do. Judge	...	.	..	...	...	...	...	2·	...	...
Tenasserim.	Amherst ...	1,754	62	8	16	12·	5·	14·	5·	1·78	3·
	Shwe-gyeen . ..	1,236	257	5	26	15·1	7·5	15·6	6·5	2·4	2·
	Toungoo .	1,450	98	..	..	4·7	2·	10·	2·	1·	1·
	Tavoy	1,370	63	...	...	15·38	5·6	10·	6·	2·2	1·11
	Mergui	640	25	1	...	8·	2·	14·	3·	2·	2·
	Salween	37	...	..	.	...	...	4·	8·	...	1·
	Moulmein Judge's Court	491	75	14	...	27·	18·	30·	16·	2·85	2·48
	Do. Small Cause Side .	2,307	82	..	...	12·	9·	12·	12·	1·75	1·41
	Total ..	38,312	2,227	426	115	10·9	5·8	11·4	5·9	1·5	1·5
	In 1875 .	30,516	3,370	578	260						

22. Forty-one thousand and eighty witnesses were examined during the year in the various courts of the province, and of these 2,768, or 6 per cent., were detained beyond the day of arrival. This is a very great improvement upon the returns for 1875, where 13 per cent. of the witnesses were shown to have been detained. There is an improvement in the returns of the Rangoon district, which was noticed

unfavourably in last year's report; but still this district and Henzada, Prome, and Shwe-gyeen, give the least satisfactory returns in the matter of the detention of witnesses. The Henzada courts especially have failed in their duty in this respect.

23. The detention shown in the Thonkwa return is due to an exceptional return from the Assistant Commissioner's Court at Yandoon; and that in the Amherst district was mainly caused by the proceedings of Moung Htoon Gyaw, Extra Assistant Commissioner, at Thahtone. It is reported that this officer was suddenly ordered off on executive work which could not wait, and he had to leave his cases for some days.

24. The return of the examination of witnesses is very creditable to the Judges of the courts in the Akyab district. Only three were detained beyond the day of arrival.

25. The average duration in contested cases was only 11 days. This is a little in excess of the duration in 1875, but is not too long. The increase is not to be regretted, as the practice has been to fix rather too short a time for the appearance of the defendant.

26. The next table shows the number of decrees passed by the several civil courts, the number of applications for execution, and the degree in which the applications were satisfied:—

Division.	Name of district.	Number of decrees passed during the year.	Number of applications for execution, including those pending from last year.	Decrees completely executed.	Decrees partially executed.	Applications struck off.	Pending at close of year.	
							For more than four months.	Total pending.
Arakan.	Akyab	1,070	645	214	181	224	...	26
	Do. Small Cause Court ...	635	178	61	19	96	...	2
	Kyouk-hpyoo	505	181	81	47	46	...	7
	Sandoway	248	83	54	8	20	...	1
Pegu.	Rangoon	1,700	269	112	67	82	...	8
	Thonkwa	1,200	305	126	81	139	...	9
	Bassein	2,997	718	328	107	275	...	3
	Henzada	3,085	387	191	140	39	.	8
	Prome	1,206	259	183	47	19	...	10
	Thayetmyo	1,043	186	111	68	...	...	7
	Do. Small Cause Court Assistant Judge	220	45	31	14	...	...	...
	Do. Judge	11	4	3	...	...		1
Tenasserim.	Amherst	1,008	401	290	47	54	...	10
	Shwe-gyeen	1,008	230	164	21	23	...	22
	Toungoo	1,243	514	385	100	28	...	1
	Tavoy	505	124	89	9	22	...	4
	Mergui	419	120	69	29	20	...	2
	Salween	23	3	2	1	..	...	...
	Moulmein Judge's Court	266	171	21	49	75	...	26
	Do. Small Cause Side ...	1,729	1,006	189	249	469	...	99
	Total ...	20,180	5,824	2,704	1,243	1,631	...	246

27. The disproportion between the number of decrees passed, 20,130, and the number of applications for execution, which were only 5,824, though noticeable, is not so large as in former years. In the Rangoon district there were only 269 applications to 1,700 decrees.

28. It is probable that many decrees were settled out of court, notwithstanding the provisions of section 206 of the Code of Procedure; and many decrees also satisfied by payment into court without the necessity for application on the part of the decree-holder.

29. On applications made for execution, 46 per cent. of the decrees were satisfied in full, and 21 per cent. received partial satisfaction. The applications made in the Moulmein Court were not so successful.

30. Processes of execution were issued as follows:—

Division.	Name of district.	Mode of execution.								
		Delivery of possession.	Specific performance.	Person.		Moveable property.		Immoveable property.		Orders under section 243, Act VIII. of 1859.
				Arrest.	Imprisonment.	Attachment.	Sale.	Attachment.	Sale.	
Arakan.	Akyab	13	1	234	27	352	111	167	87	...
	Do. Small Cause Court	..	.	123	14	72	15	..	..	..
	Kyouk-hpyoo	1	...	41	2	76	24	53	30	...
	Sandoway	..		11	5	37	12	17	8	..
Pegu.	Rangoon	2	...	69	46	150	49	89	29	...
	Thonkwa	5	15	76	16	162	45	41	12	..
	Bassein	5	..	288	110	330	146	95	55	3
	Henzada	17	...	136	37	204	70	131	55	3
	Prome	2	...	73	8	93	69	90	46	...
	Thayetmyo	1	...	53	42	120	27	75	35	...
Tenasserim.	Amherst	14	...	158	16	145	40	82	24	5
	Shwe-gyeon	7	..	44	5	148	19	61	18	...
	Toungoo	1	...	147	22	258	52	116	53	.
	Tavoy	11	...	63	18	16	5	31	7	...
	Mergui	24	20	70	22	17	3	11	2	...
	Salween	...	..	1	...	2	1	...	...	...
	Moulmein Judge's Court	4	..	43	8	16	11	45	43	...
	Do. Small Cause Side ..	.	...	457	45	182	51	...	...	4
	Total ...	107	36	2,087	443	2,380	759	1,104	504	15

31. The number of persons actually imprisoned in execution of decree was 443—an increase of 132 on the return for 1875. The number of processes issued for arrest was 2,087.

32. The number of processes of sale in regard to moveable property was 759, and in regard to immoveable property 504. The latter have increased by 60.

33. The next table shows the nature of the applications and miscellaneous business performed by the civil courts throughout the year:—

Division.	Name of district.	Plaints rejected or returned.	Applications. For arrest or attachment before judgment, or for injunction.	Relating to execution of decree.	To sue as a pauper.	For review of judgment or new trial.	For certificate to collect debts, under Act XVII. of 1860.	For grant of probate or letters of administration.	For relief in cases of disputed succession, under Act XIX. of 1841.	For the charge of person or property of minors, Acts XL. of 1858 and IX. of 1861.	For appointment of manager or guardian of lunatic, or admission into Lunatic Asylum, Acts XXXIV. and XXXV. of 1858.	For establishment of right to have document registered, sections 73-76, Act XIII. of 1871.	Total number instituted.	Total number disposed of.	Number left pending.	Of these, number pending for more than two months.
Arakan.	Akyab	22	177	144	34	35	20	1	...	9	...	...	442	441	1	...
	Do. Small Cause Court ...	16	33	8	19	8	...	...	...	...	...	...	84	84	...	...
	Kyouk-hpyoo	13	94	56	8	2	2	...	...	1	...	...	176	174	2	...
	Sandoway	2	5	21	...	3	1	1	...	1	...	...	34	34	...	...
Pegu.	Rangoon	13	19	138	...	14	...	3	...	...	...	...	187	184	3	...
	Thonkwa	1	76	33	7	30	...	...	...	...	...	...	147	146	1	...
	Bassein	3	369	931	16	30	11	1	...	...	2	...	1,363	1,357	6	...
	Henzada	15	33	387	24	20	1	2	...	1	...	...	483	474	9	...
	Prome	8	67	280	94	37	8	1	...	3	...	...	498	490	8	...
	Thayetmyo	24	83	67	9	4	...	8	...	1	...	...	196	189	7	...
	Do. Small Cause Court Assistant Judge	...	2	...	...	...	...	...	...	...	...	..	2	2	...	...
Tenasserim.	Amherst	2	47	141	...	25	1	5	...	1	5	...	227	227	...	...
	Shwe-gyeen	5	94	49	5	27	3	...	2	...	1	1	187	181	6	...
	Toungoo	...	95	140	5	12	...	5	...	2	...	1	260	258	2	...
	Tavoy	7	...	16	1	1	...	...	...	...	...	...	25	25	...	...
	Mergui	...	9	32	...	3	...	...	...	2	...	2	48	48	...	...
	Salween	...	4	3	...	...	...	...	...	...	...	...	7	7	...	...
	Town of Moulmein	20	61	241	2	5	1	47	...	2	...	...	443*	445†	5	...
	Total ...	151	1,268	2,687	224	256	48	74	2	23	8	4	4,809	4,766	50	...

* Sixty-four other applications included. † Includes seven pending from last year.

34. There were a large number of applications for arrest or attachment before judgment. The attention of the courts, where such applications were most numerous, has been called to the conditions which should be fulfilled, as laid down in sections 75 and 83 of the Code of Civil Procedure, before such applications are granted.

35. The number of applications to be allowed to sue *in formâ pauperis* was 224, which is an increase of 42 on the number shown in the return for 1875. The Judicial Commissioner is not aware what arrangements are made by the Government, in the absence of Government pleaders in the district courts, to recover on the decision of the suits, in which the plaintiffs have been allowed to sue as paupers, the amount of fees chargeable under the Court Fees Act.

36. The number of applications for grant of probate or letters of administration has slightly increased, but the applications are mostly confined to the court of the Judge of the town of Moulmein.

37. The subjoined table shows the number of appeals preferred to the Deputy Commissioners from the decrees of the subordinate Courts, and the proportion in which the decrees appealed against were upheld:—

Divisions.	Name of District	Name and designation of Judge from whose decision appeal was preferred	Number of appealable decrees passed by him	Number of appeals preferred.	Number of decrees confirmed.	Number modified	Number reversed.	Proportion of reversals and modifications to appealable decrees.
Arakan	Akyab	Moung Hla Gyawoo, Extra Assistant Commissioner, 3rd class, 3rd grade	68	16	2	3	9	17 64
		Moung Mra Tha Doon, ditto, 3rd class, 2nd grade	44	2	2			
		Moung Pan Hla Baw, ditto, 3rd class, 1st grade	65	3			1	1 55
		Moung Shwe Bwin, ditto, 3rd class, 1st grade	22	1	1			
		Moung Mra Tha Doon (acting) do. 3rd class, 3rd grade	9	1		1		11·
		Moung Shwe Taw (O West) ditto 3rd class, 1st grade	50	2	2			
		Moung Raiphaw thoo ditto, 3rd class, 2nd grade	25	4	2	2		8·
		Moung Htoon Oo, ditto, 3rd class, 1st grade	43	15	10	1	4	11 63
		Moung Tha Dway, ditto, 1st class, 2nd grade	73	22	13	2	6	10 95
		Moung Shwe Taw (Akyab) ditto, 1st class, 1st grade	4					
		Mr L Gordon, Assistant Commissioner	7					
		Mr T C Mitchell, ditto	12	4	3		1	8 33
		Mr E F Roche, ditto	1					

Division.	Name of District.	Name and designation of Judge from whose decision appeal was preferred.	Number of appealable decrees passed by him.	Number of appeals preferred.	Number of decrees confirmed.	Number modified.	Number reversed.	Proportion of reversals and modifications to appealable decrees.
Arakan.	Kyouk-hpyoo.	Moung Shwe Dike Kay, Extra Assistant Commissioner, 1st class, 1st grade ..	49	10	6	1	3	8·16
		Moung Shwe Boo, ditto, 2nd class, 1st grade	55	16	11	1	3	7·27
		Moung Tsan Oo, ditto, 3rd class, 3rd grade	8	1	1	...	...	...
		Moung Hla Htoon Oung ditto, 3rd class, 1st grade	101	13	9	1	3	3·96
		Moung Htoon-aye ditto, 3rd class, 2nd grade	39	1	1	...	...	...
		Psaw Hla Phroo, ditto, 3rd class, 3rd grade	48	7	2	...	5	10·41
	Sandoway.	Moung Shwe Dzeng ditto, 3rd class, 2nd grade	40	7	2	3	2	12·50
		Moung Kyouk-khai (offg.) ditto, 3rd class, 3rd grade	3	...	...	...	...	...
		Moung Tsan-Oo ditto, 3rd class, 3rd grade	8	1	...	...	1	12·50
		Moung Shwe Bwin, ditto, 3rd class, 1st grade	5	...	...	...	...	...
		Moung Pha Phroo, ditto, 3rd class, 1st grade	72	31	18	2	11	18·05
		Moung Shwe Boo, ditto, 2nd class, 1st grade	7	5	3	...	1	14·28
		Moung Kho, ditto, 3rd class, 3rd grade	176	3	2	...	1	·56
	Rangoon.	Moung Bah Gyaw, ditto, 3rd class, 3rd grade	404	16	5	2	6	1·98
		Moung Shwe Ygh, ditto, 3rd class, 3rd grade	215	14	6	..	3	1 39
		Moung Shwe Pay, ditto, 3rd class, 2nd grade	253	3	3	...	...	.
		Moung Wike, ditto, 2nd class, 2nd grade	222	4	3	..	1	0·45
		Moung Hpo, Extra Assistant Commissioner, 2nd class, 2nd grade ...	351	9	7	1	...	0·28
		Lieutenant B. A. N. Parrott, Assistant Commissioner (Syriam)	46	...	...	...	...	...
		Lieutenant F. D. Raikes, Assistant Commissioner (Syriam)	1	...	...	...	...	...
		Lieutenant H. Boileau, Assistant Commissioner (Syriam)	11	3	2	...	1	9·09
		Lieutenant B. A. N. Parrott, Assistant Commissioner Hmawbee	8	...	...	...	...	...
		Lieutenant W. F. H. Grey, Assistant Commissioner, Hmawbee) ...	5	...	...	...	...	...
	Thonkwa.	Moung Shwe Myat, Extra Assistant Commissioner, 3rd class, 2nd grade...	66	...	...	...	...	...
		Moung Gyee, ditto, 3rd class, 3rd grade ... ... } Moung Shwe Att, ditto, 3rd class, 1st grade ... ... } ...	163	32	19	...	12	7 36
		Moung Pho-kaw, ditto, 3rd class, 1st grade	85	9	4	1	4	5·88
		Moung Gyee ditto, 1st class, 2nd grade	76	11	7	2	2	5·26

Division.	Name of District.	Name and designation of Judge from whose decision appeal was preferred.	Number of appealable decrees passed by him.	Number of appeals preferred.	Number of decrees confirmed.	Number modified.	Number reversed.	Proportion of reversals and modifications to appealable decrees.
Arakan.	Thonkwa.—(concluded.)	Mr. A. L. Hough, Extra Assistant Commissioner, 1st class, 1st grade Mr. D. L. M. Mackay, Assistant Commissioner ... ... Mr. G. E. Godbier, Extra Assistant Commissioner, 3rd class, 3rd grade ...	36	4	1	2	1	8·33
		Mr. A. R. Birks, Assistant Commissioner ... ... Moung Gyee, Extra Assistant Commissioner, 1st class, 2nd grade	127	37	16	2	14	12·59
		Mr. G. L. Weldemann, Assistant Commissioner	92	1	1	...	...	...
Pegu.	Bassein.	Moung Loo Gyee, Extra Assistant Commissioner, 3rd class, 2nd grade ..	25	4	2	1	...	4·
		Moung Kyah (Ngapootau), ditto, 3rd class, 3rd grade	45	13	5	...	5	11·11
		Moung Kya (Myoung-mya), ditto, 3rd class, 3rd grade	27	8	5	1	2	11·11
		Moung Bya, ditto, 3rd class, 3rd grade	67	9	5	...	3	4·47
		Moung Koo, ditto, 3rd class, 2nd grade	125	2	1	...	1	0·80
		Moung Yo, ditto, 3rd class, 2nd grade	105	21	8	...	9	8·57
		Moung An, ditto, 3rd class, 3rd grade	243	3	3	...	...	...
		Moung Bya (Yaigyee), ditto, 3rd class, 3rd grade	6	5	1	...	4	66·66
		Moung Loo Gyee (Yaigyee) ditto, 3rd class, 2nd grade	183	17	7	1	6	3·82
		Moung Poh Oo ditto, 3rd class, 3rd grade	130	8	6	...	2	1·53
		Moung Shwe Tsee, ditto, 3rd class, 3rd grade	207	14	8	1	5	2·89
		Mr. H. L. St. Barbe, Assistant Commissioner	24	1	1	...	...	...
		Mr. A. L. Hough, Extra Assistant Commissioner, 1st class, 1st grade ...	19	1	...	...	...	...
		Moung Shwe Bya, Extra Assistant Commissioner, 1st class, 1st grade ...	501	60	31	1	31	6·38
		Mr. C. J. A. Duke, Assistant Commissioner	21	1	1	...	...	...
		Mr. A. L. Hough, Extra Assistant Commissioner, 1st class, 1st grade ...	1	1	...	...	...	...
		Mr. P. H. Martyr, ditto, 1st class, 1st grade	3	...	...	...		...
	Henzada.	Moung Shwe Att, Extra Assistant Commissioner, 3rd class, 1st grade ...	96	3	1	..	2	2·08
		Moung Shwe Thee, ditto, 3rd class, 1st grade	236	32	19	1	12	5 50
		Moung Min Gyaw, ditto, 3rd class, 1st grade	190	23	15	1	6	3·68
		Moung Htoon Oung, ditto, 3rd class, 3rd grade	212	23	16	...	6	2·83
		Moung Pho Han, ditto, 3rd class, 2nd grade	168	4	4	...	...	...
		Moung Goon, ditto, 3rd class, 3rd grade	141	14	6	1	5	4·25
		Moung Phan, ditto, 3rd class, 1st grade	186	3	1	..	2	1·07
		Moung Myeit, ditto, 2nd class, 2nd grade	171	5	2	...	3	1·75

Division.	Name of District.	Name and designation of Judge from whose decision appeal was preferred.	Number of appealable decrees passed by him.	Number of Appeals preferred.	Number of decrees confirmed.	Number modified.	Number reversed.	Proportion of reversals and modifications to appealable decrees.
Pegu.—(concluded.)	Henzada.—(concluded.)	Moung Shwe Yeen, Extra Assistant Commissioner, 1st class, 2nd grade ...	647	70	51	10	17	4·17
		Mr. A. O. Brown, Assistant Commissioner	7	2	1	1	...	14·28
		Lieutenant H. Boileau, Assistant Commissioner	18	3	3	...	...	...
	Prome.	Moung Shwe Mhai, Extra Assistant Commissioner, 3rd class, 1st grade ...	90	3	1	...	2	2·22
		Moung Hpo ditto, 3rd class, 3rd grade	243	23	14	3	6	3·70
		Moung Gouk, ditto, 3rd class, 3rd grade						
		Moung Oh, ditto, 3rd class, 3rd grade	94	11	6	...	5	5·32
		Moung Man, ditto, 3rd class, 3rd grade	25	9	4	2	3	20·00
		Moung Tsaw Nau, ditto, 2nd class, 2nd grade	57	12	8	...	4	7·01
		Moung Galay, ditto, 2nd class, 2nd grade	53	10	5	...	3	5·66
		Moung Tsaw Nau (Prome) ditto, 2nd class, 2nd grade	35	12	2	4	6	28·57
		Moung Kyaw Zan Hla ditto, 1st class, 2nd grade	127	24	13	6	3	7·08
		Mr. E. Richardson, Senior Extra Assistant Commissioner	8	2	1	...	1	12·50
		Lieutenant W. F. H. Grey, Assistant Commissioner	1	...	...		...	...
		Mr. F. S. Copleston, Assistant Commissioner	44	3	2	1	...	2·27
		Mr. W. C. Midwinter, Assistant Commissioner	29	1	1		...	...
	Thayetmyo.	Moung Louk, Extra Assistant Commissioner, 3rd class, 2nd grade ...	181	9	7	...	2	1·10
		Moung Tet Pyo, ditto, 3rd class, 1st grade	303	14	11	2	1	0·90
		Moung Tetto, ditto, 3rd class, 1st grade	163	8	7	...	1	0·61
		Moung Tsouk, ditto, 2nd class, 1st grade	139	14	11	...	3	2·15
		Mr. R. A. D. Perreau, Assistant Commissioner	238	12	8	2	..	0·84
		Mr. G. D. Burgess, ditto ...	19	1	1	...	...	...
Tenasserim.	Amherst.	Moung Pai Hla, Extra Assistant Commissioner, 3rd class, 2nd grade ...	35	1	1	...	..	..
		Moung Chalk, ditto, 3rd class, 1st grade	22	5	2	..	1	4·54
		Moung Tsoung ditto, 3rd class, 2nd grade	96	17	5	1	6	7·29
		Moung Oon, ditto, 3rd class, 3rd grade	92	10	7	..	1	1·08
		Moung Shwe Gyop, ditto, 3rd class, 3rd grade	29	10	5	...	...	...
		Moung Wet Galay, ditto, 3rd class, 1st grade	40	8	3	1	1	5·
		Moung Oh, ditto, 2nd class, 1st grade	23	2	1	..	...	...
		Moung Htoon Gyaw, ditto, 3rd class, 2nd grade	84	11	5	..	3	3·57
		Moung Myat Meng, ditto, 3rd class, 3rd grade	96	14	6	...	3	3·12
		Mr. Lewis Gordon, Assistant Commissioner	10	4	4	...	...	...

Division	Name of District.	Name and designation of Judge from whose decision appeal was preferred	Number of appealable decrees passed by him	Number of appeals preferred	Number of decrees confirmed	Number modified	Number reversed.	Proportion of reversals and modifications to appealable decrees
Tenasserim —(continued.)	Shwe-gyeen.	Moung Shwe Go, Extra Assistant Commissioner, 3rd class, 3rd grade	152	9	6		1	0 65
		Moung Taw, ditto, 3rd class, 1st grade	109	8	3			
		Moung Tha Nyoh, ditto, 3rd class, 2nd grade	248	19	7		4	1 64
		Moung Hmat, ditto, 3rd class, 2nd grade						
		Moung Shwe Mho, ditto, 3rd class, 3rd grade	193	27	9	3	10	6 73
		Moung Hpo, ditto, 3rd class, 3rd grade						
		Moung Myet Meng, ditto, 3rd class, 3rd grade	262	46	23	6	8	5 34
		Mr G E Barr, ditto, 2nd class, 1st grade	22	8	2	2	3	22 72
		Mr R Phayre, Assistant Commissioner						
		Lieut T M Jenkins, ditto						
		Mr H Buckle, ditto	26	4	2	1	1	7 69
		Mr R Phayre, ditto						
	Toungoo	Moung Tsan Wah, Extra Assistant Commissioner, 3rd class, 3rd grade	79	9	7	2		2 53
		Moung Dway, ditto, 3rd class, 2nd grade	13	1			1	7 69
		Moung Shwe Att, ditto, 3rd class, 1st grade	56	2	1		1	1 78
		Moung Shwe Myat, ditto, 3rd class, 1st grade	49	1	1			
		Moung Htine, ditto, 2nd class, 1st grade	325	67	38	9	14	7 07
		Moung Gwin, ditto, 3rd class, 1st grade	66	6	4	1	1	3 03
		Baron J Bentinck, Asst Commissioner	34	9	4		4	11 76
		Lieut T M Jenkins, ditto	5	1	1			
	Tavoy	Moung Shwe Hlaing, Extra Assistant Commissioner, 2nd class, 1st grade	77	39	20	4	13	22 07
		Moung Phaw, ditto, 3rd class, 2nd grade	61	24	17	4	3	11 47
		Moung Thet, ditto, 3rd class, 2nd grade	74	21	11	2	6	10 81
		Moung Shwe Boo, ditto, 3rd class, 3rd grade	95	29	16	4	9	13 68
		Moung Shwe Att, ditto, 2nd class, 1st grade	146	34	15	6	12	12 32
	Mergui	Moung Htoon Oung, ditto, 3rd class, 1st grade	10	1		1		10
		Moung Myat Htoo, ditto, 3rd class, 2nd grade	18	5	4		1	5 55
		Moung Shwe Poh, ditto, 3rd class, 3rd grade	2					
		Mr R McLeod, ditto, 1st class, 1st grade	9					
		Total	11,501	1,291	699	113	363	4 13

38. The total number of appealable decisions was 11,501, and the number of appeals made to the Courts of the Deputy Commissioners was 1,291. These figures give the same proportion as was observed in last year's report. The proportion of reversals or modifications to appealable decrees was only four per cent., and the proportion to decrees actually appealed was not quite 37 per cent.

39. Of 253 decrees passed by Moung Shwe Pay in the Rangoon district, and of 243 decrees passed by Moung An in the Bassein district, only three in each case were appealed, and none reversed or modified; and of 351 decrees passed by Moung Hpo in the Rangoon district, nine were appealed, none were reversed, and one only modified.

40. By far the greatest amount of civil work was performed by Moung Shwe Yeen, Extra Assistant Commissioner at Henzada, and Moung Shwe Bya, Extra Assistant Commissioner at Bassein, who passed respectively 647 and 501 appealable decrees. This statement does not, however, include the work of Moung Tha Dway as Small Cause Court Judge at Akyab.

41. The subjoined table shows the work of the appellate courts:—

Division.	Class of appellate court, and name of presiding Judge.	Number of appeals on the files, including those from last year and received by transfer	Number transferred or dismissed for default	Number decided: In favour of respondent.	Number decided: In favour of appellant	Number remanded for redecision by lower court.	Number left pending: For more than four months	Number left pending: Total pending.	Average duration of appeal.
	Deputy Commissioners.								days.
Arakan	Colonel H N Davies, Akyab	74		37	24	8		5	16
	Major W. W Pemberton, Kyouk-hpyoo	26	1	15	9				17
	Mr C J A Duke, ditto	26		16	9	1		1	18
	Captain H R Spearman, Sandoway								
	Colonel C P Hildebrand, ditto	41		23	20			1	12
	Commissioner.								
	Lieutenant-Colonel E B Sladen, Arakan Division	4		3	1				10
	Deputy Commissioners.								
Pegu	Mr W deCourcy Ireland, Rangoon	52	8	28	15			1	26
	Captain M C. Poole, ditto								
	Mr S F A Smith Thonkwa	97	2	47	40	2		6	19
	Captain C H A Gower, ditto								
	Mr R F St A St John, Bassein	177	9	84	73	1		10	18
	Lieut-Colonel A G Duff, ditto								
	Captain M C Poole, Henzada	191	4	115	67	5			32
	Mr J K Macrae, ditto								
	Lieut-Colonel A R McMahon, Prome	110		57	49	4			10 15
	Major W C Plant, Thayetmyo	58	1	45	11	1			3

Division	Class of appellate Court, and name of presiding Judge	Number of appeals on the files including those from last year and received by transfer	Number transferred or dismissed for default	Number decided: In favour of respondent	Number decided: In favour of appellant	Number remanded for re-decision by Lower Court	Number left pending: For more than four months	Number left pending: Total pending	Average duration of appeal
Tenasserim	*Deputy Commissioners*								
	Lieut Col E B Sladen, Amherst Captain H R Spearman, ditto	82	13	39	17	8		5	Not given
	Mr C J F S Forbes, Shwe gyeen " A Hough, ditto	*116	5	52	39	10		9	Do
	Lieut-Colonel M Lloyd, Toungoo, Mr A H Hildebrand, ditto	96	2	56	33	3		2	Do
	Colonel E J Spilsbury, Tavoy	122		71	44	3		4	Do
	Lieut-Colonel W Munro, Mergui	40		19	18	2		1	Do
	Commissioner								
	Colonel R D Ardagh, Tenasserim Division	1			1				85
	Total	†1,316	45	707	470	48		45	

* One compromised † Includes 21 miscellaneous appeals

42. The work of the appellate courts was heaviest in the courts of the Deputy Commissioners of Henzada and Bassein, on whose files were 191 and 177 appeals respectively. There were only five appeals heard in the Commissioner's Court.

43. The hearing of the appeal instituted in the court of the Commissioner of Tenasserim, owing to delay in service of the notices, was postponed until the Commissioner's return from Toungoo. Hence its long duration.

44. There were no arrears in the appellate courts.

45. The next table shows the appeals preferred from the decrees of the Deputy Commissioners in original suits :—

Division.	Name of Deputy Commissioner from whose decision appeal was made	Number of decrees passed by Deputy Commissioner in original cases.	Number of decrees confirmed by Commissioner on appeal	Number modified	Number reversed	Proportion of reversals and modifications to appealable decrees.
	Deputy Commissioner.					
Arakan	Col H N Davies, Akyab	3	..	..	1	33 per cent.
	Col C P. Hildebrand, Sandoway	1	..	..	..	
	Deputy Commissioners.					
Tenasserim.	Capt H R Spearman, Amherst	1	..	1	..	
	Total	5	..	1	1	

The next table shows the financial result of the rules framed under section 20 of the Court Fees Act, regulating the fees chargeable for serving processes and remuneration of peons of the civil courts :—

Division	Name of district	Charges — On account of: Bailiff	Fixed establishment of peons	Additional peons	Boat or conveyance hire	Stationery	Badges of peons	Other contingencies	Total
		Rs A P.	Rs A P	Rs A P	Rs A P	Rs A P	Rs A P	Rs A P	Rs A P
Ahkyab	Akyab	1,200 0 0	4,248 0 0	70 8 0	822 7 2				6,340 15 2
Ahkyab	Kyouk hpyoo	458 5 3	1,632 0 0	202 4 0	521 8 0	5 0 0		2 14 0	2,821 15 3
Ahkyab	Sandoway	500 0 0	408 0 0	82 0 0					990 0 0
Pegu	Rangoon	1,500 0 0	3 336 0 0	547 0 0	60 8 0	8 9 6	2 0 0	35 0 0	5,489 1 6
Pegu	Thonkwa	960 0 0	2,628 0 0	135 8 0	214 0 0				3,937 8 0
Pegu	Bassein	900 0 0	4,248 7 1	1,445 4 0	52 8 0		1 8 6	5 8 0	6,653 3 7
Pegu	Henzada	1,200 0 0	5,706 0 0	1,179 12 0	50 4 0			302 12 0	8,438 12 0
Pegu	Prome	1,200 0 0	3,638 0 0	207 0 0	7 14 3				5,052 14 3
Pegu	Thayetmyo	900 0 0	2,055 0 0	239 8 0	64 12 0				3,259 4 0
Tenasserim	Amherst	1,200 0 0	2,352 0 0	425 8 0	359 4 0				4 336 12 0
Tenasserim	Shwe gyeen	900 0 0	1,392 0 0	93 9 2	53 10 0				2 439 3 2
Tenasserim	Toungoo	900 0 0	2 124 0 0	50 0 0				2 0 0	3,076 0 0
Tenasserim	Tavoy	600 0 0	1,308 0 0	10 8 0					1,918 8 0
Tenasserim	Mergui	600 0 0	1,059 3 2	127 0 0	115 10 0				1,901 13 2
Tenasserim	Salween			48 8 0					48 8 0
Tenasserim	Town of Moulmein	1,280 0 0	1,176 0 0	279 0 0	204 0 0		12 0 0	280 9 0	3,231 9 0
	Total	14,298 5 3	37,310 10 3	542 13 2	2,526 5 5	13 9 6	15 8 6	628 11 0	59,935 15 1

Division	Name of district	Receipts — Fees realized on account of: Summons on witness — Number of processes	Summons on witness — Amount of fees	Summons on defendant — Number of processes	Summons on defendant — Amount of fees	Notice, proclamation or other order not elsewhere specified — Number of processes	Notice, proclamation or other order not elsewhere specified — Amount of fees	Warrant for arrest of persons or attachment of property — Number of processes	Warrant for arrest of persons or attachment of property — Amount of fees	Custody of property attached — Number of processes	Custody of property attached — Amount of fees	Total — Number of processes	Total — Amount of fees
			Rs A P		Rs A P		Rs A. P		Rs. A P		Rs A P		Rs A P
Ara-kan	Akyab	3,287	1 651 8 0	3,707	3,802 0 0	469	504 0 0	1,479	2,975 0 0	26	0 0	8,968	8,958 8 0
	Kyouk hpyoo	1,922	961 0 0	1,173	1,250 0 0	161	161 0 0	274	548 0 0	17	3 0 0	3,547	2,954 0 0
	Sandoway	640	328 8 0	505	507 0 0	122	181 0 0	79	158 0 0	2	17 8 0	1,348	1,192 0 0
Pegu	Rangoon	2,188	1,112 0 0	2,487	2,547 0 0	440	485 0 0	305	612 0 0	72	461 0 0	5,492	5,217 0 0
	Thonkwa	2 517	1,259 8 0	2,580	2,580 0 0	372	469 0 0	365	730 0 0	53	106 0 0	5,887	5,144 8 0
	Bassein	5,136	2,568 0 0	5,513	5,734 0 0	964	1,142 0 0	1,130	2 260 0 0	122	122 0 0	12,865	11,826 0 0
	Henzada	7,935	3 969 8 0	5,694	5 704 0 0	687	931 0 0	566	1,151 0 0	44	1,401 10 0	14,926	13,157 2 0
	Prome	3,824	1,914 0 0	2,306	2,308 0 0	535	644 0 0	315	635 0 0	11	90 8 0	6,991	5,591 8 0
	Thayetmyo	1,942	971 0 0	1,603	1,603 0 0	274	349 0 0	299	598 0 0	29	56 8 0	4,147	3,577 8 0
Tenasserim	Amherst	2,289	1,205 0 0	1,488	1,490 0 0	517	711 0 0	453	963 0 0	26	262 0 0	4,773	4,651 0 0
	Shwe-gyeen	1,997	1,013 8 0	1,387	1,391 0 0	252	335 0 0	300	604 0 0	25	68 8 0	3,961	3,412 0 0
	Toungoo	1,865	933 8 0	2,127	2,233 0 0	388	505 0 0	941	1,483 0 0	155	1,126 8 0	5,476	6,281 0 0
	Tavoy	1,505	758 0 0	744	869 0 0	66	71 0 0	128	259 0 0	15	7 8 0	2,458	1,964 8 0
	Mergui	862	445 0 0	659	661 0 0	124	169 0 0	120	242 0 0	7	125 0 0	1,772	1,642 0 0
	Salween	58	29 0 0	55	55 0 0	16	19 0 0	7	14 0 0			136	117 0 0
	Town of Moulmein	3 414	2,021 8 0	2,144	2,440 0 0	765	978 0 0	740	1,588 0 0	38	342 8 0	7,101	7,370 0 0
	Total	41,381	21,140 8 0	34,172	35,174 0 0	6,152	7,654 0 0	7,501	14,840 0 0	642	4 247 2 0	89,848	88,055 10 0

47. The receipts were considerably in excess of the expenditure. In the districts of Rangoon and Mergui alone was there a deficit. The Deputy Commissioners have been called upon to report what means they propose in order to reduce the expenditure.

48. The following table shows the number of regular appeals decided in the Court of the Judicial Commissioner :—

Division.	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Appeals presented. Rejected.	Appeals presented. Admitted.	Decision reversed.	Decision modified.	Decision confirmed.	Remanded.	Total disposed of	Pending.
	Deputy Commissioners.								
Arakan.	Colonel H. N. Davies, Akyab ...	...	9	2	2	4	...	8	1
	Major W. W. Pemberton, Kyouk-hpyoo	...	3	2	1	...	...	3	...
	Colonel C. P. Hildebrand, Sandoway ...	...	1	1	...	...	...	1	...
	Commissioner.								
	Lieut.-Colonel E. B. Sladen, Arakan Division	...	1	1	...	...	...	1	...
	Deputy Commissioners.								
Pegu.	Mr. W. deCourcy Ireland, Rangoon ...	...	3	1	...	2	...	3	...
	Captain M. C. Poole, ditto ...	...	1	...	...	1	...	1	...
	Mr. S. F. A. Smith, Thonkwa ...	...	1	...	...	1	...	1	...
	Captain C. H. A. Gower, Thonkwa ...	2	12	1	...	3	...	4	8
	Mr. R. F. St. A. St. John, Bassein ...	3	11	5	...	3	...	8	3
	Lieut.-Colonel A. G. Duff, Henzada ...	2	1	1	...	...	...	1	...
	Captain M. C. Poole, ditto ...	1	2	1	...	1	...	2	...
	Mr. J. K. Macrae, ditto ...	1	2	...	...	...	...	...	2
	Lieut.-Colonel A. R. McMahon, Prome	...	10	2	...	*6	...	8	2
	Major W. C. Plant, Thayetmyo ...	...	6	4	2	...	...	6	...
	Deputy Commissioners.								
Tenasserim.	Lieut.-Colonel E. B. Sladen, Amherst...	...	3	1	...	2	...	3	...
	Captain H. R. Spearman, ditto ...	...	2	1	...	...	...	1	1
	Mr. C. J. F. S. Forbes, Shwe-gyeen ...	...	2	...	1	1	...	2	...
	Mr. A. L. Hough, ditto ...	1	3	1	...	1	...	2	1
	Lieut.-Colonel M. Lloyd, Toungoo ...	2	5	1	...	4	...	5	...
	Mr. A. H. Hildebrand, ditto ...	1	2	1	...	...	...	1	1
	Colonel E. J. Spilsbury, Tavoy ...	...	4	1	...	2	...	3	1
	Lieut.-Colonel W. Munro, Mergui ...	...	2	...	...	1	...	1	1
	Commissioner.								
	Colonel D. Brown, Tenasserim Division	1	2	1	...	1	...	2	...
	Total ...	14	88	28	6	33	...	67	21

* Of these, two were dismissed for default.

49. There were 102 appeals instituted in the Judicial Commissioner's Court, and of these only 88 were admitted on the file. The

decree of the Lower Appellate Court was confirmed in 33, and reversed or modified in 34, cases.

50. The next table shows the miscellaneous appeals, *i.e.*, appeal from decisions other than those passed in regular suits disposed of in the Court of the Judicial Commissioner :—

Division	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Decision revised.	Decision modified.	Decision confirmed.	Remanded.	Total disposed of.	Pending.
Pegu.	Mr. W. deCourcy Ireland, Rangoon	1	..	..	..	1	..
	Mr, R. F. St. A. St. John, Bassein	..	..	1	..	1	..
	Lieut.-Colonel A. R. McMahon, Prome ..	1	..	..	..	1	..
	Total ..	2	..	1	..	3	..

51. The number and result of references to the Court of the Judicial Commissioner is shown in the annexed table :—

Division.	Section 31, Act XII of 1872, and under section 25, Act XVII, 1875	Under section 29, Act XVII., 1875	Under section 34, Act XVII., 1875	Total references	Court making the reference	Rulings adverse to the opinion of referring court.	Rulings in concurrence with opinion of referring court	Heard as appeals under section 34, Act XVII, 1875.	Total disposed of	Pending.
Arakan.	1			1	Deputy Commissioner, Sandoway	1			1	
		1		1	Ditto ditto, Rangoon	1		..	1	
		2		2	Ditto ditto, Thonkwa		1	1	2	
Pegu	1	2		3	Deputy Commissioner, Bassein	1	2		3	
		1		1	Ditto ditto, Henzada		1		1	
		1		1	Ditto ditto, Prome	..		1	1	
			1	1	Ditto ditto, Thayetmyo	.		1	1	
	1	1		2	Ditto ditto, Amherst		2		2	
Tenasserim	3	1		4	Deputy Commissioner, Shwe-gyeen,	1	3		4	
	1			1	Ditto ditto, Mergul	1			1	
					Assistant Resident, Mandalay	.		..		1
Total	7	9	1	18		5	9	3	17	1

Section 8 of the rules prescribing the constitution, &c, of the Chief Court.

52. The number of references on points of law was only 18.

53. Mr. Quinton officiated as Judicial Commissioner during the year, and I am not able to give any account of the judicial administration of the province from my personal knowledge.

(CRIMINAL.)

From the Judicial Commissioner, British Burma, to the Secretary to the Chief Commissioner, British Burma,—No. 394-35, dated the 12th May 1877.

I HAVE the honour to forward the Annual Report on the Administration of Criminal Justice in this Province (exclusive of the town of Rangoon) for the past year.

2. The subjoined tables, A., B., and C., show the number and nature of offences, bailable and non-bailable, reported during the year, and the number of persons brought to trial, convicted, and acquitted, as compared with similar results for the preceding year.

A.

Division.	Name of District.		Number of offences reported.			Number of persons brought to trial.			Number acquitted.			Number convicted			Proportions of convictions to number of persons brought to trial.		
			Not bailable.	Bailable.	Total.	Not bailable.	Bailable.	Total.	Not bailable.	Bailable.	Total.	Not bailable.	Bailable.	Total.	Not bailable.	Bailable.	Total.
Arakan.	Akyab ...	In 1875 ...	355	1,377	1,732	404	2,192	2,596	145	727	872	255	1,461	1,716	63·1	67·	66·1
		In 1876 ...	365	539	904	391	891	1,282	107	301	408	278	586	864	71·	65·	67·
		Increase ...	10	...	...	...	...	...	...	...	...	23	...	...	8·	...	1·
		Decrease ...	...	838	828	13	1,301	1,314	38	426	464	...	875	852	...	2·	...
	Akyab Town ...	In 1875 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		In 1876 ...	134	881	1,015	170	1,607	1,777	66	366	432	103	1,241	1,344	60·	77·	75·
		Increase ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Decrease ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Kyouk-hpyoo ...	In 1875 ...	466	537	1,003	310	853	1,163	84	377	461	224	474	698	72·	55·	59·
		In 1876 ...	608	579	1,187	505	1,001	1,506	133	405	538	359	588	947	71·	58·	62·
		Increase ...	142	42	184	195	148	343	49	28	77	135	114	249	...	3·	3·
		Decrease ...	...	...	...	...	...	...	...	...	...	...	...	...	1·	...	...
	Sandoway ...	In 1875 ...	113	122	235	111	187	298	36	63	99	73	122	195	65·	65·	65·
		In 1876 ...	244	150	394	131	207	338	40	61	101	87	135	222	66·	65·	65·
		Increase ...	131	28	159	20	20	40	4	...	2	14	13	27	1·	...	...
		Decrease ...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...
	Northern Arakan	In 1875 ...	3	24	27	6	70	76	2	23	25	4	47	51	66.	67·	67·
		In 1876 ...	11	39	50	15	84	99	5	27	32	9	57	66	60·	67·	66·
		Increase ...	8	15	23	9	14	23	3	4	7	5	10	15	...	...	...
		Decrease ...	...	...	...	...	...	...	...	...	...	...	...	...	6·	...	1·

Pegu.	Rangoon	In 1875 ...	1,340	1,172	2,512	1,049	1,855	2,904	390	641	1,031	548	1,159	1,707	52·	62	58·
		In 1876 ...	1,698	1,201	2,809	1,302	2,544	3,846	489	711	1,200	354	2,100	2,454	27·	82·	63·
		Increase ...	268	29	297	258	689	942	99	70	169	...	941	747	...	20·	5·
		Decrease ...	...	...	..	...	...	...	.	...	...	194	...	..	25·	.	
	Thonkwa	In 1875 ...	503	887	1,390	612	1,577	2,189	189	597	786	368	1,000	1,368	60·	63·	62·
		In 1876 ...	505	939	1,444	662	2,303	2,965	227	754	981	432	1,532	1,964	65·	66·	66·
		Increase ...	2	52	54	50	726	776	38	157	195	64	532	696	5·	3·	4·
		Decrease ...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	..
	Bassein	In 1875 ...	829	1,499	2,328	1,040	3,392	4,432	279	782	1,061	658	2,562	3,220	63·	75·	72·
		In 1876 ...	1,032	1,791	2,823	1,147	3,761	4,908	345	1,056	1,401	793	2,690	3,483	69·	71·	70·
		Increase ...	203	292	495	107	369	476	66	274	340	135	128	263	6·	...	...
		Decrease ...	...	...	...	...	...	..	...	...	...	...	...	...	...	4·	2·
	Henzada	In 1875 ...	1,999	1,424	3,423	1,469	2,758	4,227	392	920	1,312	1,073	1,812	2,885	73·	65·	68·
		In 1876 ...	2,264	1,360	3,624	1,476	3,253	4,729	433	1,170	1,603	1,037	2,060	3,097	70·	63·	65·
		Increase ...	265	...	201	7	495	502	41	250	291	...	248	212	...	.	..
		Decrease ...	...	64	...	...	...	...	...	...	..	36	...	.	3·	2·	3·
	Prome	In 1875 ...	877	1,364	2,241	862	2,434	3,296	162	881	1,043	699	1,531	2,230	81·	63·	67·
		In 1876 ..	909	1,532	2,441	873	2,648	3,521	224	845	1,069	637	1,792	2,429	72·	67·	68·
		Increase ...	32	168	200	11	214	225	62	...	26	...	261	199	..	4·	1·
		Decrease ...	...	...	...	...	..	...	...	36	...	62	...	...	9·	..	.
	Thayetmyo	In 1875 ...	485	981	1,466	657	1,828	2,485	233	570	803	417	1,247	1,664	63.	68·	67·
		In 1876 ...	1,175	675	1,850	764	1,394	2,158	188	396	584	570	992	1,562	74.	71·	72·
		Increase ...	690	...	384	107	...	...	...	..	...	153	...	...	11·	3·	5·
		Decrease ...	...	306	...	...	434	327	45	174	219	...	255	102	...	...	...

A.—(*concluded.*)

Division.	Name of District.		Number of offences reported.			Number of persons brought to trial.			Number acquitted.			Number convicted.			Proportions of convictions to number of persons brought to trial.		
			Not bailable.	Bailable.	Total.	Not bailable.	Bailable.	Total.	Not bailable.	Bailable.	Total.	Not bailable.	Bailable.	Total.	Not bailable.	Bailable.	Total.
Serim.	Amherst	In 1875	529	717	1,246	414	1,462	1,876	162	620	782	243	820	1,063	58·	56·	56·
		In 1876	657	890	1,547	536	1,824	2,360	198	665	863	333	1,134	1,467	62·	62·	62·
		Increase	128	173	301	122	362	484	36	45	81	90	314	404	4·	6·	6
		Decrease	...	.	.	.	...	.	.			...	...	.	..	.	...
	Shwe-gyeen	In 1875	624	611	1,235	385	1,226	1,611	152	442	594	231	779	1,010	60·	63·	63·
		In 1876	575	622	1,197	492	1,134	1,626	166	385	551	323	743	1,066	65·	65·	65·
		Increase	...	11		107	..	15	14	..	...	92	..	6	5·	2·	2·
		Decrease	49	...	38	...	92	...	...	57	43	.	36	...	..	...	...
	Toungoo	In 1875	189	533	722	148	840	988	26	377	403	118	427	545	80·	50·	55·
		In 1876	272	484	756	245	769	1,014	46	302	348	193	456	649	78·	59·	64
		Increase	83	..	34	97		26	20	..	..	75	29	104	...	9·	9
		Decrease		49	...	..	71	...		75	55	.	..		2·		

Tenas																	
Tavoy	In 1875	140	233	373	94	430	524	20	172	192	74	257	331	78·	60	63·
	In 1876	120	171	291	98	319	417	16	97	113	80	222	302	81·	69·	72·
	Increase	...	.		4	..	.	...	..	..	6	..	.	3·	9·	9·
	Decrease	20	63	83		111	107	4	75	79	...	35	29	.	..	...
Mergui	In 1875	97	180	277	84	245	329	23	84	107	61	148	209	72·	60·	63·
	In 1876	121	169	290	100	253	353	24	71	95	67	178	245	67·	70·	69·
	Increase	24	...	13	16	8	24	1			6	30	36	.	10·	6·
	Decrease	..	11	...	...		..		13	12	.	.	.	5	.	
Salween	In 1875*	...	...		...	..	...		..	...		...	.	..	..	.
	In 1876	16	30	46	22	59	81	2	9	11	13	51	64	59·	86·	79·
	Increase	...	...	..	...	...	...	...	..	...	...	..	...		.	
	Decrease	...	...	..	..	..	...	...	...		...	..	...		...	
Moulmein	In 1875	351	1,419	1,770	217	2,544	2,761	106	809	915	113	1,719	1,832	52·	68·	66·
	In 1876	312	1,593	1,905	212	3,107	3,319	86	1,002	1,088	124	2,081	2,205	58·	67	66·
	Increase	...	174	135	...	563	558	.	193	173	11	362	373	6·	...	
	Decrease	39	...	...	5	.	...	20	...	...	...	...	..	...	1·	
Total	In 1875	8,900	13,080	21,980	7,862	23,893	31,755	2,401	8,085	10,486	5,159	15,565	20,724	65·	65	65
	In 1876	10,928	13,645	24,573	9,141	27,158	36,299	2,795	8,623	11,418	5,792	18,638	24,430	63·	68·	67·
	Increase	2,028	565	2,593	1,279	3,265	4,544	394	538	932	633	3,073	3,706	...	3·	2·
	Decrease	.	...	.	...	...	.	..	...	.	...	...	...	2·	..	..

* Returns not received for 1875.

B.

Division.	Name of District.		Against the State, the public, and justice.	Against the person.	Against property. With violence.	Against property. Without violence.	Under Penal Code, not included in preceding.	Special laws of the province.
Arakan.	Akyab ...	In 1875 ...	326	746	33	344	80	203
		In 1876 ...	82	335	41	327	75	44
		Increase ...	...	...	8	...	...	...
		Decrease ...	244	411	...	17	5	150
	Akyab Town ...	In 1875 ...	...	...	...	...	...	...
		In 1876 ...	310	215	8	122	25	335
		Increase ...	...	...	...	...	...	...
		Decrease ...	...	...	...	...	...	...
	Kyouk-hpyoo ...	In 1875 ...	91	334	22	460	53	43
		In 1876 ...	120	336	16	598	71	46
		Increase ...	29	2	...	138	18	3
		Decrease ...	...	...	6	...	...	...
	Sandoway ...	In 1875 ...	19	68	1	109	11	27
		In 1876 ...	27	76	35	199	20	37
		Increase ...	8	8	34	90	9	10
		Decrease ...	...	...	...	...	...	...
	Northern Arakan ...	In 1875 ...	6	12	...	3	2	4
		In 1876 ...	3	26	...	10	1	10
		Increase ...	...	14	...	7	...	6
		Decrease ...	3	...	...	...	1	...
Pegu.	Rangoon ...	In 1875 ...	289	600	122	1,223	46	296
		In 1876 ...	298	444	167	1,379	115	406
		Increase ...	9	...	45	156	69	110
		Decrease ...	...	156	...	...	...	...
	Thonkwa ...	In 1875 ...	105	163	122	478	296	226
		In 1876 ...	273	285	46	464	90	286
		Increase ...	168	122	...	...	...	63
		Decrease ...	...	...	76	14	206	...
	Bassein ...	In 1875 ...	546	470	94	753	108	357
		In 1876 ...	431	438	165	902	106	781
		Increase ...	...	...	71	149	...	424
		Decrease ...	115	32	...	...	2	...
	Henzada ...	In 1875 ...	359	468	230	1,774	242	350
		In 1876 ...	305	352	292	1,977	226	472
		Increase ...	...	...	62	203	...	122
		Decrease ...	54	116	...	...	16	...
	Prome ...	In 1875 ...	181	614	37	850	168	391
		In 1876 ...	308	540	49	858	195	491
		Increase ...	127	...	14	8	27	100
		Decrease ...	...	74	...	...	...	...

B.—*(concluded.)*

Division.	Name of district.		Against the State, the public, and justice.	Against the person.	Against property. With violence.	Against property. Without violence.	Under Penal Code, not included in preceding.	Special laws of the province.
Pegu.—*(concluded.)*	Thayetmyo ...	In 1875 ...	291	434	44	363	100	234
		In 1876 ...	217	282	144	966	70	171
		Increase ...	...	...	100	603	...	...
		Decrease ...	74	152	...	...	30	63
Tenasserim.	Amherst ...	In 1875 ...	181	337	53	500	51	124
		In 1876 ...	309	380	20	631	82	125
		Increase ...	128	43	...	131	31	1
		Decrease ...	...	...	33	...	...	...
	Shwe-gyeen ...	In 1875 ...	114	322	38	603	44	114
		In 1876 ...	166	280	41	534	45	131
		Increase ...	52	...	3	...	1	17
		Decrease ...	...	42	...	69	...	...
	Toungoo ...	In 1875 ...	23	309	17	174	39	160
		In 1876 ...	23	239	29	237	44	184
		Increase ...	...	...	12	63	5	24
		Decrease ...	...	70	...	...	...	...
	Tavoy ...	In 1875 ...	27	136	44	98	31	37
		In 1876 ...	13	111	37	82	22	26
		Increase ...	...	...	...	...	...	...
		Decrease ...	14	25	7	16	9	11
	Mergui ...	In 1875 ...	6	143	1	95	7	25
		In 1876 ...	23	113	5	107	10	32
		Increase ...	17	...	4	12	3	7
		Decrease ...	...	30	...	...	...	...
	Salween ...	In 1875 ...	...	...	...	...	...	...
		In 1876 ...	7	17	...	8	1	13
		Increase ...	...	...	...	...	...	...
		Decrease ...	...	...	...	...	...	...
	Moulmein ...	In 1875 ...	505	484	30	318	53	385
		In 1876 ...	892	474	22	276	46	195
		Increase ...	387	...	...	...	...	...
		Decrease ...	...	10	8	37	7	190
	Total ...	In 1875 ...	3,060	5,040	888	8,140	1,331	2,976
		In 1876 ...	3,807	4,043	1,117	9,677	1,244	3,785
		Increase ...	738	...	229	1,537	...	809
		Decrease ...	...	697	...	...	87	...

C.

Division.	Name of district.		Number of: Giving false evidence. Cases reported.	Giving false evidence. Persons convicted.	Murder. Cases reported.	Murder. Persons convicted.	Culpable homicide not amounting to murder. Cases reported.	Culpable homicide. Persons convicted.	Dacoity. Cases reported.	Dacoity. Persons convicted.	Robbery. Cases reported.	Robbery. Persons convicted.	Rape. Cases reported.	Rape. Persons convicted.	Grievous hurt. Cases reported.	Grievous hurt. Persons convicted.	House-breaking. Cases reported.	House-breaking. Persons convicted.	Cattle-theft. Cases reported.	Cattle-theft. Persons convicted.	Other thefts and receiving stolen property. Cases reported.	Other thefts. Persons convicted.
Arakan.	Akyab	In 1875 ...	3	8	5	4	6	3	1	7	1	1	1	...	16	15	24	22	7	6	278	191
		In 1876 ...	...	...	7	5	6	5	2	1	9	...	6	1	6	10	23	21	13	15	285	227
		Increase ...	...	...	2	1	...	2	1	...	8	...	5	1	...	...	...	...	6	7	7	36
		Decrease ...	3	8	...	...	...	...	...	6	...	1	...	...	10	5	1	1	...	...	...	...
	Akyab Town ...	In 1875 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		In 1876 ...	3	2	2	7	...	...	...	...	1	2	...	...	3	2	7	6	...	...	110	64
		Increase ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Decrease ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Kyouk-hpyoo ...	In 1875 ...	...	...	5	2	...	...	2	...	7	4	1	1	3	6	11	11	5	5	427	196
		In 1876 ...	4	1	5	6	3	2	2	9	4	7	3	1	7	5	6	6	5	2	559	325
		Increase ...	4	1	...	4	3	2	...	9	...	3	2	...	4	...	...	...	...	...	132	129
		Decrease ...	...	...	...	...	...	...	...	...	3	...	...	...	...	1	5	5	...	3	...	...
	Sandoway	In 1875 ...	...	...	1	1	...	...	...	...	...	...	2	1	3	2	1	1	...	...	104	69
		In 1876 ...	1	1	2	2	...	...	...	...	1	1	...	...	5	3	34	3	...	...	191	74
		Increase ...	1	1	1	1	...	...	...	...	1	1	...	...	2	1	33	2	...	...	87	5
		Decrease ...	...	...	...	...	...	...	...	...	...	...	2	1	...	...	...	...	...	...	...	...

PEGU.	Northern Arakan	In 1875	...	...	...	..	...	...	...	..	...	...	...	...	...	...	...	...	1	4	2	..
		In 1876	...	...	1	...	...	...	1		...	...	...	...	...	...	...	...	1	2	6	5
		Increase	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	..		5
		Decrease	...	...	.	..	...	...	...	...	...	...	...	...	...	...	...	...	...	2	..	..
	Rangoon	In 1875	2	1	11	7	4	3	17	14	23	17	8	7	9	6	80	25	229	75	942	398
		In 1876	8	3	11	5	7	5	8	7	14	24	12	10	9	12	127	58	207	52	1,083	500
		Increase	6	2	...	...	3	2	...	...	..	7	4	3	...	6	47	33	...	.	141	102
		Decrease	...	..	...	2	...	...	9	7	9	...	..	...	...	..	...	...	22	23	..	...
	Thonkwa	In 1875	5	4	5	3	3	5	5	5	4	6	1	1	1	11	109	25	47	36	482	256
		In 1876	2	...	4	6	5	1	2	5	1	1	7	2	9	10	11	6	27	8	405	365
		Increase	..	.	...	3	2	...	...	...	..	..	6	1	8	..	...	...	..	28	.	109
		Decrease	3	4	1	...	...	4	3	...	3	5	...	...	.	1	98	19	20	..	77	...
	Bassein	In 1875	2	2	5	8	2	2	.	4	6	15	9	4	11	10	80	50	22	13	673	540
		In 1876	4	8	1	2	2	2	4	9	5	7	4	4	12	10	143	83	20	19	815	655
		Increase	2	6	.	...	...	..	4	5	..	...	..	...	1	.	63	33	...	6	142	115
		Decrease	...	...	4	6	...	...	...	...	1	8	5	..	...	.	...	...	2	...	...	.
	Henzada	In 1875	4	2	6	3	5	6	2	1	11	19	12	3	13	16	205	92	100	14	1,608	902
		In 1876	2	1	6	5	2	2	1	1	11	6	11	1	14	11	255	41	69	81	1,835	860
		Increase	.	..	...	2	...	..	...	..	...	...		...	1	...	50	...	..	67	227	..
		Decrease	2	1	...	...	3	4	1	...	...	13	1	2	..	5	..	51	31	...	...	42
	Prome	In 1875	2	2	9	10	...	1	1	13	14	19	8	5	22	26	21	20	86	37	725	576
		In 1876	1	1	7	7	4	2	...	...	10	7	8	2	19	13	36	26	71	59	734	510
		Increase	..	..	...	..	4	1	...	...	..	..	...	..	.	..	15	6	...	22	9	...
		Decrease	1	1	2	3	..	...	1	13	4	12	...	3	3	13	...	...	15	...	...	66
	Thayetmyo	In 1875	5	5	9	6	...	...	4	2	5	4	8	2	6	4	5	1	42	42	268	234
		In 1876	3	...	3	2	...	...	5	3	14	5	3	2	5	2	116	22	252	49	669	395
		Increase	.	...		...	...	...	1	1	9	1	..	...	...	...	111	21	210	7	401	161
		Decrease	2	5	6	4	...	...	...	...	...	...	5	...	1	2	...	.	...	.	..	.

C.—(concluded.)

Division.	Name of district.		Number of: Giving false evidence. Cases reported.	Giving false evidence. Persons convicted.	Murder. Cases reported.	Murder. Persons convicted.	Culpable homicide not amounting to murder. Cases reported.	Culpable homicide not amounting to murder. Persons convicted.	Dacoity. Cases reported.	Dacoity. Persons convicted.	Robbery. Cases reported.	Robbery. Persons convicted.	Rape. Cases reported.	Rape. Persons convicted.	Grievous hurt. Cases reported.	Grievous hurt. Persons convicted.	House-breaking. Cases reported.	House-breaking. Persons convicted.	Cattle-theft. Cases reported.	Cattle-theft. Persons convicted.	Other thefts and receiving stolen property. Cases reported.	Other thefts and receiving stolen property. Persons convicted.
Pegu.	Amherst	In 1875	3	2	9	6	2	1	2	1	5	2	3	1	8	5	21	7	67	17	407	195
		In 1876	6	3	2	3	1	1	3	5	3	1	4	2	7	10	19	9	66	9	539	284
		Increase	3	1	...	...	...	...	1	4	...	...	1	1	...	5	...	2	...	...	132	89
		Decrease	...	...	7	3	1	...	...	...	2	1	...	...	1	...	2	...	1	8	...	...
	Shwe-gyeen	In 1875	3	1	3	4	4	...	3	8	10	6	2	1	5	5	49	4	38	8	525	184
		In 1876	1	.	2	2	...	...	3	4	4	4	2	1	8	10	34	18	23	28	477	242
		Increase	...	...	...	...	...	...	...	...	...	.	...	...	3	5	...	14	...	20	...	58
		Decrease	2	1	1	2	4	...	...	4	6	2	...	...	...	...	15	..	15	.	48	..
	Toungoo	In 1875	.	...	4	3	1	...	2	7	3	.	..	...	4	...	12	7	32	16	127	73
		In 1876	2	3	6	1	2	1	6	...	6	1	3	...	5	4	15	12	37	21	180	143
		Increase	2	3	2	...	1	1	4	..	3	1	3	.	1	4	3	5	5	5	53	70
		Decrease	...	...	...	2	...	...	...	7	...	...	...	...	...	..	...	..	...	.		

Tavoy ...	In 1875 ...	...	...	3	2	1	1	...	...	...	...	1	...	3	3	42	7	...	...	92	63
	In 1876 ...	...	...	...	...	...	...	1	5	2	1	...	...	1	...	34	16	2	1	77	55
	Increase ...	...	...	...	...	...	...	1	5	2	1	...	...	...	...	...	9	2	1	...	..
	Decrease ...	...	...	3	2	1	1	...	...	...	...	1	...	2	3	8	...	...	...	15	8
Mergui ...	In 1875 ...	1	1	2	2	1	1	1	...	1	1	1	1	4	2	3	4	...	...	84	48
	In 1876 ...	1	1	1	1	1	...	1	...	1	2	...	...	6	9	4	2	2	2	103	51
	Increase ...	...	...	...	...	...	...	...	...	...	1	...	...	2	7	1	...	2	2	19	3
	Decrease ...	...	...	1	1	...	1	...	...	...	...	1	1	...	...	...	2	...	...	...	..
Salween ...	In 1875 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	In 1876 ...	...	...	2	2	...	...	...	...	...	...	...	...	1	1	...	...	...	...	6	8
	Increase ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Decrease ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Moulmein ...	In 1875 ...	2	1	4	6	2	1	...	...	4	...	3	...	10	6	25	3	...	...	285	86
	In 1876 ...	2	1	7	6	...	...	...	...	2	...	1	...	5	4	19	4	2	1	252	97
	Increase ...	...	...	3	...	...	...	...	...	...	...	...	...	...	...	...	1	2	1	...	11
	Decrease ...	...	...	...	...	2	1	...	...	2	...	2	...	5	2	6	...	...	...	33	..
Total ...	In 1875 ...	39	29	81	67	31	24	40	62	94	94	60	27	118	117	688	279	676	275	7,029	4,001
	In 1876 ...	40	25	69	62	33	21	39	49	88	69	64	26	122	116	883	333	797	349	8,326	4,880
	Increase ...	8	...	9	...	2	...	...	...	...	...	4	...	4	...	195	54	121	74	1,297	879
	Decrease ...	...	4	12	5	...	3	1	13	6	25	...	1	...	1	...	...	...	...	...	...

3. The total number of offences reported is shown to be 24,573, which is an increase of 2,593 over the number for the preceding year, 1875. The increase took place almost entirely in non-bailable offences, and is as high as 22 per cent. in regard to those offences.

4. It is noticeable that this increase in the number of non-bailable offences has taken place in every district except Shwe-gyeen and Tavoy.

5. The increase is most remarkable in the district of Thayetmyo, where the number of non-bailable offences is reported at 1,175, as compared with 485 in the year preceding.

6. It is also proportionately large in the districts of the Arakan division, and in Toungoo and Bassein.

7. This increase is very generally attributed to greater correctness in reporting crime; and there is no doubt that improvement in the manner of reporting has affected the returns, especially at Sandoway and Thayetmyo, where a very irregular system seems to have prevailed, in neglect of the provisions of section 114 of the Code of Criminal Procedure, which requires report to be made to the Magistrate by the Police whenever the latter have reason to suspect the occurrence of an offence cognizable by the Police. The irregularity has now been remedied.

8. But it will be seen that the number of persons brought to trial has also largely increased: 9,141 persons were brought to trial charged with non-bailable offences during the year 1876; while only 7,862 were brought to trial charged with non-bailable offences in 1875.

9. It may therefore be inferred that there was an actual increase in crime during the year, and the returns show that this increase occurred, not in the more violent class of offences, but in the offences of house-breaking and simple theft without violence.

10. The increase in the number of cases of house-breaking reported was 195, in cattle-thefts 121, and in other thefts 1,297.

11. House-breaking is not ordinarily attended with that degree of violence which is its characteristic in other countries: the material of the houses is such that an entrance can be readily effected, and there is often little to distinguish such an offence from ordinary theft.

12. The increase in this particular class of offence is attributed in more than one district to greater care in the classification of offences.

13. The increase in the number of thefts is very large, and is attributed by some Deputy Commissioners (no doubt correctly) to the high price of provisions which ruled during part of the year. In Bassein, it is reported that, owing to improvident exportation, rice went up at one season to famine rates. In Henzada, it is said that the increase may also be attributed in part to the influx of strangers to the Railway works. Frequent changes in the magistracy are also said to have affected the returns unfavourably. Tow hatever cause the increase was due, the fact is one which calls for energetic measures of repression from the district authorities. It is noticed that the amount of property stolen was very large in some districts: in the Amherst district it is stated to have amounted to Rs. 65,457 in value, and in Henzada to Rs. 69,632.

14. The cause of the reported general increase in the crime of cattle-theft is the singular return from the district of Thayetmyo, which shows 252 cases, as compared with only 42 in the preceding year. It seems that, under an order of a former Police Superintendent, now corrected, persons reporting cattle-theft were told to go back and search, so as to ascertain whether the animal had not merely strayed, and report again in seven days. Such a practice naturally discouraged reports, and the withdrawal of the order has caused a large increase in the number of offences reported.

15. In other districts, there has been an improvement in regard to this crime. In Henzada, the number of cases reported has fallen from 100 to 69; in Prome from 86 to 71; and in Shwe-gyeen from 38 to 23. In the year 1872, the number of cattle-thefts reported in the Prome district was 175.

16. The number of murders reported during the year has decreased from 81 to 69. The number of dacoities was 39, as compared with 40 in 1875. In the district of Rangoon, the number of dacoities has fallen from 17 in 1875 to eight in 1876. The number of robberies reported throughout the province has decreased from 94 to 88. Cases of rape were 64, as compared with 60 in the preceding year; and cases of grievous hurt were 122, as against 118.

17. It is noted that a large decrease (*viz.*, 697) is shown in the number of offences against the person: this decrease took place under the head of "Insult," the number of offences of this description being entered at 1,145, as compared with 1,897 in the year preceding. There had been a misapprehension as to the character of this offence, and it was explained to the lower courts that insult was only a penal offence, when the person giving the provocation by means of such insult intended or knew it to be likely that the provocation would cause a breach of the public peace, or some other offence.

18. The increase which has taken place in the number of offences against the public and against special laws of the province is due to the more extended action of municipal and excise rules, and to the more general punishment of nuisances and of gambling.

19. Nuisances under municipal and Police laws have been classed indifferently under "Offences against the public," and under "Offences against special laws of the province." Instructions have now issued to class all such nuisances for the future under the latter head.

20. The proportion of convictions to persons brought to trial in *non-bailable* cases shows a decrease of two per cent., being only 63 as compared with 65 per cent., for the preceding year. The general percentage, however, including bailable cases, stands at 67 per cent.

21. The proportion of convictions in non-bailable cases is excessively low in the Rangoon district, being only 27 per cent. This is no doubt a very unsatisfactory result, but it cannot with safety be said to throw any discredit upon the Judicial Department. When a case is brought into court on insufficient evidence, the Magistrate cannot but acquit or discharge.

22. It may be noticed here that while 255 cases of house-breaking were reported in the Henzada district, only 41 persons were

convicted; that 252 cattle-thefts were reported in the Thayetmyo district, and only 49 persons were convicted; and that only 52 persons were convicted of cattle-stealing in the Rangoon district, as compared with 207 cases reported.

23. In Henzada, it is remarkable that 81 persons were convicted of cattle-theft, and only 69 cases reported.

24. The result of investigations and prosecutions in cases of murder was singularly successful throughout the province, except in the Toungoo district. There have been 62 persons convicted, and 69 cases reported. In Toungoo, only one conviction took place, while seven murders were reported. No explanation has been given by the Magistrate of this exceptional result.

25. The next table shows the amount of criminal business in the several districts, the result of the trials, and the state of the files at the end of the year:—

Division	Name of district	Number of cases tried	Number of persons brought to trial during the year	Discharged without trial	Acquitted	Convicted.	Committed.	Remaining under trial: In custody	Remaining under trial: On bail or personal recognizance	Number of persons under trial at close of year whose cases have been pending over six weeks: In custody	Number of persons under trial at close of year whose cases have been pending over six weeks: On bail or personal recognizance
Arakan	Akyab	827	1,294	248	163	871	7	2	3		
	Akyab Town	852	1,777	67	362	1,338	10		.		
	Kyouk-hpyoo	939	1,506	207	329	942	17	1	8		
	Sandoway	250	388	31	70	220	2	2	10		
	Northern Arakan	50	99	18	14	66					
Pegu	Rangoon	2,484	3,846	651	544	2,440	23	10	17		
	Thonkwa	1,406	2,965	455	519	1,953	14	10	3	..	
	Bassein	2,612	4,908	414	980	3,480	11	8	13		..
	Henzada	2,578	4,729	379	1,218	3,086	17	5	18		
	Prome	2,215	3,521	621	447	2,421	15	5	5		
	Thayetmyo	1,268	2,205	115	469	1,605	4	1			
Tenasserim.	Amherst	1,145	2,300	282	574	1,456	18	8	22		
	Shwe-gyeen	1,120	1,626	193	351	1,059	15	5	3	1	
	Toungoo	666	1,014	18	330	648	2	3	3		
	Tavoy	247	417	11	100	295	5	1	4		
	Mergui	240	353	34	62	247	2	8			
	Salween	48	81		11	64	6				
	Moulmein	1,805	3,319	80	1,000	2,175	39	5	20		
	Total	20,752	36,358*	3,819	7,543	24,366	207	74	129	1	

* Fifty-nine persons sent up by Subordinate Magistrate for higher punishment are shown against the Magistrates who sent them up, as well as against the convicting Magistrates, and thus the difference between these and corresponding totals of preceding table

26. The amount of criminal business was heaviest in the district of Bassein, where 2,612 trials took place during the course of the year. In the district of Henzada, the number of trials was 2,578: in the district of Rangoon 2,484; but this last total is exclusive of course of the town of Rangoon, which is under the jurisdiction of the Recorder. In the district of Amherst, including the town of Moulmein, 2,950 trials took place.

27. The amount of criminal business is very small in the districts of Sandoway, Tavoy, and Mergui, and in the remote districts of Northern Arakan and Salween.

28. The number of persons entered as discharged without trial is very large—3,819, or more than 10 per cent. of the whole number of persons brought to trial. The number and proportion is exceptionally high in the districts of Akyab, Rangoon, and Prome. Those persons only should be entered in this column who are discharged by the Magistrate under sections 195 and 215 of the Code of Criminal Procedure, that is, when the evidence adduced is insufficient to justify the Magistrate in committing the accused to the Court of Session, or in drawing up a charge against him in warrant cases triable by himself. The excessively large number of entries in this column, if the return has been correctly prepared, does not reflect credit on the Police investigation, as it shows that either numbers of innocent persons have been arrested as criminals, or that very insufficient evidence has been procured against the guilty.

29. The number of persons who were left under trial at the close of the year is somewhat high in the district of Amherst—55, including the town of Moulmein. But this is often a mere accident, depending upon the number of persons sent in by the Police towards the close of the year; and the number does not in any way reflect discredit on the judicial administration, except where the accused have been under trial for any length of time. One such case appears in the Shwegyeen return. The accused had been under trial for more than six weeks: he was in custody in default of security for good behaviour, and was also involved in another more serious charge, the investigation of which the Magistrate had postponed until he could visit the place where the crime occurred, and could examine the witnesses there. The Magistrate has been informed that he should dispose of the case at once.

30. The following supplementary statement shows the number of cases tried summarily and regularly by the Magistrates of the 1st class and by Magistrates of districts; and also the number of cases tried under the enlarged powers conferred upon the Magistrates of districts by section 36, Criminal Procedure Code:—

Division.	Name of District.	Class of Magistrate.		Number of cases tried.	Number of persons brought to trial during the year.	Discharged without trial.	Acquitted.	Convicted.	Committed.	Remaining under trial. In custody.	Remaining under trial. On bail or personal recognizance.	Number of persons under trial at close of year whose cases have been pending over six weeks. In custody.	Number of persons under trial at close of year whose cases have been pending over six weeks. On bail or personal recognizance.
Arakan.	Akyab ...	Magistrate of the 1st class ...	Summarily	...	...	...	...	...	...	...	...	...	...
			Regularly	...	...	..	...	...	...	...	...	...	...
		Magistrate of the district ...	Summarily	...	...	...	...	...	...	...	...	...	...
			Regularly	35	59	29	4	24	2	...	...	...	...
			Under enlarged powers...	4	4	...	...	4	...	...	...	...	..
	Akyab Town ...	Magistrate of the 1st class ...	Summarily	767	1,566	22	206	1,248	...	...	...	..	...
			Regularly	85	211	45	66	90	10	...	...	...	...
	Kyouk-hpyoo ...	Magistrate of the 1st class ...	Summarily	...	...	...	...	...	...	...	...	...	...
			Regularly	...	...	...	...	...	...	...	...	...	...
		Magistrate of the district ...	Summarily	4	6	...	1	5	...	...	...	...	...
			Regularly	75	123	19	25	60	17	1	...	...	...
			Under enlarged powers...	9	9	...	...	9	...	...	...	...	...
	Sandoway ...	Magistrate of the 1st class ...	Summarily	...	...	...	...	...	...	...	...	...	...
			Regularly	...	...	...	...	...	...	...	...	...	...
		Magistrate of the district ...	Summarily	5	5	...	1	4	...	...	...	...	..
			Regularly	76	103	9	25	63	2	1	...	...	...
			Under enlarged powers...	2	2	...	...	2	...	...	...	...	
	Northern Arakan	Magistrate of the district ...	Summarily	6	13	...	1	12	...	...	...	...	.
			Regularly	21	47	7	...	39	...	...	...	...	.
			Under enlarged powers...	...	...	...	...	...	...	...	...	...	..
	Rangoon ...	Magistrate of the 1st class ...	Summarily	339	568	84	92	390	...	...	...	...	.
			Regularly	802	938	186	99	618	11	4	..	..	
		Magistrate of the district ..	Summarily	26	78	...	23	55	...	...	...	...	...
			Regularly	168	212	26	40	115	12	6	...	..	...
			Under enlarged powers...	21	49	...	16	33	...	...	...	...	...

PEGU.	Thonkwa ...	Magistrate of the 1st class ...	Summarily	132	342	...	39	303	...	8	...	...	..	
			Regularly	161	304	1	104	185	2	...	...	...	..	
		Magistrate of the district ...	Summarily	40	74	14	7	53	...	...	...	...	...	
			Regularly	107	173	31	42	81	11	2	3	...	...	
			Under enlarged powers...	6	15	3	...	12	...	...	...	...	...	
	Bassein ...	Magistrate of the 1st class ...	Summarily	732	1,559	105	174	1,274	...	...	6	...	...	
			Regularly	341	597	30	195	352	10	5	5	...	...	
		Magistrate of the district ...	Summarily	196	255	27	38	190	...	...	...	...	...	
			Regularly	102	142	21	31	87	1	1	...	...	...	
			Under enlarged powers...	19	22	...	...	22	...	...	...	...	...	
	Henzada ...	Magistrate of the 1st class ...	Summarily	201	412	6	118	288	...	...	...	...	...	
			Regularly	869	1,360	38	373	923	17	4	1	...	...	
		Magistrate of the district ...	Summarily	89	168	50	...	118	...	...	...	...	...	
			Regularly	69	100	26	16	58	...	...	...	...	...	
			Under enlarged powers...	16	27	3	4	19	...	...	...	...	...	
	Prome ...	Magistrate of the 1st class ...	Summarily	1,149	1,066	217	13	836	...	...	...	...	...	
			Regularly		931	223	55	627	13	5	4	...	...	
		Magistrate of the district ...	Summarily	223	218	2	72	144	...	...	...	...	...	
			Regularly		103	24	14	62	2	...	...	...	..	
			Under enlarged powers...		19	...	1	18	...	...	...	...	...	
TENASSERIM.	Thayetmyo ...	Magistrate of the 1st class ...	Summarily	275	662	44	96	522	...	...	...	...	..	
			Regularly	388	464	64	82	306	4	1	...	...	...	
		Magistrate of the district ...	Summarily	19	22	...	3	19	...	...	...	...	...	
			Regularly	51	70	2	27	41	...	...	...	...	...	
			Under enlarged powers...	11	20	...	4	16	...	...	...	...	...	
	Amherst ...	Magistrate of the 1st class ...	Summarily	114	150	32	...	118	...	...	...	...	...	
			Regularly	81	111	26	8	68	4	3	2	...	..	
		Magistrate of the district ...	Summarily	5	15	5	...	10	...	...	...	...	...	
			Regularly	73	104	30	19	45	4	5	1	...	...	
			Under enlarged powers...	11	17	...	...	17	...	...	...	..	..	
	Shwe-gyeen ...	Magistrate of the 1st class ...	Summarily	...	...	...	...	...	...	...	...	...	.	
			Regularly	...	...	...	...	...	...	...	...	...	.	
		Magistrate of the district ...	Summarily	81	124	...	8	116	...	...	...	...	.	
			Regularly	244	383	61	33	269	15	5	...	1	...	
			Under enlarged powers...	7	7	...	...	7	...	...	...	...	...	
	Toungoo ...	Magistrate of the 1st class ...	Summarily	...	...	...	...	...	...	...	...	...	..	
			Regularly	...	...	...	...	...	...	...	...	...		
		Magistrate of the district ...	Summarily	34	44	1	5	38	...	...	...	...	..	
			Regularly	73	102	12	17	70	2	1	...	...	.	
			Under enlarged powers...	7	12	...	...	12	...	...	...	...	..	

Division.	Name of District.	Class of Magistrate.		Number of cases tried.	Number of persons brought to trial during the years.	Discharged without trial.	Acquitted.	Convicted.	Committed.	Remaining under trial. In custody.	Remaining under trial. On bail or personal recognizance.	Number of persons under trial at close of year whose cases have been pending over six weeks. In custody.	Number of persons under trial at close of year whose cases have been pending over six weeks. On bail or personal recognizance.
Tenasserim.—(*concluded.*)	Tavoy ...	Magistrate of the district ...	Summarily	3	3	...	...	3	...	...	...	...	...
			Regularly	40	82	...	18	54	5	1	4	...	...
			Under enlarged powers...	5	5	...	...	5	...	...	...	...	...
	Mergui ...	Magistrate of the district ...	Summarily	18	32	6	...	26	...	...	...	...	...
			Regularly	67	84	6	17	57	1	3	...	...	...
			Under enlarged powers...	4	9	...	...	9	...	...	...	...	...
	Salween ...	Magistrate of the district ...	Summarily	8	16	...	...	16	...	...	...	...	...
			Regularly	4	8	...	1	4	2	...	...	...	...
			Under enlarged powers...	...	...	...	..	..	...	...	...	...	...
	Moulmein ...	Magistrate of the 1st class ...	Summarily	1,667	3,125	26	961	2,127	...	2	9	...	...
			Regularly	138	194	54	39	48	39	3	11	..	..
	Total ..	Magistrate of the 1st class ..	Summarily	8,241	9,450	536	1,789	7,106	...	10	15	...	...
			Regularly		5,110	667	1,021	3,217	110	25	23	...	...
		Magistrate of the district ...	Summarily	2,024	1,073	105	159	809	...	...	...	...	...
			Regularly		1,895	303	329	1,129	76	26	8	1	...
			Under enlarged powers...		217	6	25	185	...	..	...	...	..
		Grand Total ..		10,265	17,745	1,617	3,323	12,446	186	61	46	1	...

31. The greatest number of persons tried summarily by one Magistrate was in the town of Moulmein, where 3,125 persons were so tried.

32. The total number of persons tried summarily in the province was 10,523, more than one-fourth of the total number of persons tried.

33. Two hundred and seventeen persons were tried by the Magistrates of districts exercising their enlarged powers under section 36 of the Code of Criminal Procedure, which enables them to try cases that under the more ordinary course of law, would be committed to the Court of Session. Forty-nine persons were so tried in the district of Rangoon.

34. Of 22 persons tried under these enlarged powers by the Magistrate of Bassein, of 17 persons so tried by the Magistrate of Amherst, and of 12 persons so tried by the Magistrate of Toungoo, all were convicted. Of the whole 217 tried under these powers in the province, 185, or 85 per cent., were convicted. The proportion of convictions in cases tried before the Courts of Session during the year was 67 per cent.

35. The subjoined table shows the punishment inflicted by the different magisterial authorities :—

Division.	Name of District.	Persons sentenced to: Solitary confinement.	Simple imprisonment.	Rigorous imprisonment: Two years and under.	Rigorous imprisonment: Over two years.	Fine.	Whipping.	Amount of fine: Imposed.	Realized.	Awarded as compensation: Ordered.	Paid.
								Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Arakan	Akyab	2	1	235	4	545	96	8,995 8 0	7,156 8 3	917 2 8	390 8 0
	Akyab Town	2	4	127	...	1,172	31	13,165 12 0	9,606 5 6	415 0 0	365 0 0
	Kyouk-hpyoo	1	1	313	9	529	47	9,860 8 0	7,727 0 0	249 8 0	249 8 0
	Sandoway	2	3	98	2	126	9	1,403 0 0	888 3 0	271 0 0	60 0 0
	Northern Arakan	...	...	27	1	40	...	264 0 0	198 14 0	50 0 0	34 14 0
Pegu	Rangoon	10	28	677	33	1,630	140	59,468 0 0	31,656 0 0	1,878 0 0	1,878 0 0
	Thonkwa	39	60	383	17	1,506	47	39,922 2 0	25,697 15 4	853 8 0	853 8 0
	Bassein	97	15	576	22	2,624	168	41,940 1 0	26,454 8 9	14,479 11 8	4,503 2 9
	Henzada	48	28	967	20	2,028	183	46,558 6 0	31,181 0 4	4,435 0 0	1,158 8 0
	Prome	60	54	603	21	1,754	184	24,939 0 0	18,780 8 0	1,059 14 9	722 14 9
	Thayetmyo	16	14	453	17	1,196	100	18,665 0 0	14,545 3 0	1,397 0 0	1,004 0 0
Tenasserim	Amherst	17	34	216	17	1,154	18	24,202 11 9	18,081 13 6	1,462 13 6	1,384 13 6
	Shwe-gyeen	3	35	294	17	684	78	10,094 11 6	7,506 11 6	307 12 0	307 12 0
	Toungoo	15	10	171	12	464	29	13,919 3 0	5,203 4 3	5,960 2 4	2,228 0 8
	Tavoy	4	4	78	8	212	7	3,374 0 0	1,857 0 0	1,276 0 0	76 0 0
	Mergui	...	...	83	9	169	5	3,276 15 4	2,770 6 10	1,297 10 8	1,217 11 4
	Salween	2	...	16	...	46	1	1,777 0 0	1,527 0 0	15 0 0	15 0 0
	Moulmein	3	40	168	...	1,964	21	14,607 2 6	13,299 10 10	377 0 0	377 0 0
	Total	321	331	5,485	209	17,843	1,164	3,36,433 1 1	2,24,138 1 1	36,702 3 7	16,826 5 0
	As compared with 1875	120	310	4,855	194	14,994	1,000	2,76,832 7 5	1,95,180 13 4	58,661 7 5	33,142 11 1

36. Three hundred and twenty-one sentences of solitary imprisonment were passed throughout the year, being 200 in excess of the number passed during the preceding year. This form of sentence appears to be greatly on the increase.

37. The number of persons sentenced to simple imprisonment—331—is large, owing no doubt to sentences passed under the Excise Act. As the majority of such sentences are by law carried out in the Civil Jail, care should be taken that the part of the jail set apart for the confinement of debtors, which is not always very capacious, be not unduly crowded.

38. There is an increase in the number of persons sentenced to fine. Nearly 18,000 persons were so punished, while only one-third of that number was sentenced to imprisonment. It has been often impressed upon the Burman Magistrates that fine is a most improper form of punishment in some crimes, such as theft, for instance; but it is difficult to eradicate the idea that pecuniary mulct is the legitimate end of a criminal prosecution.

39. With reference to the great increase that has taken place in the number of thefts in the past year, it is especially important that this crime should not be lightly dealt with.

40. Sentences of whipping have increased to 1,164. The number of such sentences has nearly doubled since 1873.

41. The proportion of fines realized is not unsatisfactory, being above 66 per cent.

42. There is an apparent decrease of nearly one-half in the amount of fines awarded in compensation to injured persons. The decrease may only be apparent, for the rewards paid to informers have sometimes been erroneously included in this amount.

43. The Magistrate of the Rangoon district, in commenting upon the decrease, writes that assaults and cases of hurt are frequently made the subject of civil action, in which damages are awarded after the criminal punishment has been inflicted. This double prosecution would, however, be saved if the courts acted more freely on the provisions of section 308 of the Code of Criminal Procedure.

44. The subjoined table shows the orders passed by the magisterial authorities in the exercise of their preventive jurisdiction and other miscellaneous business:—

Division.	Name of District.	Persons — Ordered to: Give security for keeping the peace.	Give security for good behaviour.	Remove nuisance.	Maintain wives or children.	Maintain lunatics, under Act XXXVI. of 1858.	Pay compensation for frivolous complaint.	Imprisoned in default of security.	Imprisoned in default of providing maintenance.	Punished for contempt of court.	Dealt with as lunatics, under Act XXXVI. of 1858: Made over to friend or relative.	Sent to Lunatic Asylum.	Number of complaints dismissed without issue of process.	Orders passed for retention of possession.
Arakan.	Akyab	1	21	.	3	...	1	12	.	2	.	...	29	1
	Akyab Town ...	3	28	7	15	...	1	13	...	.	.	...	60	2
	Kyouk-hpyoo ..	.	56	1	24	.	8	56	...	1	1	...	31	.
	Sandoway .	...	48	4	...	..	...	42	...	...	...	1	6	.
	Northern Arakan	...	1		...	.	...	.	...	...	1	1	..	..
Pegu.	Rangoon	5	139	6	2	..	..	82	...	.	...	1	62	.
	Thonkwa	5	120		2	..	.	72	...	4	1	1	39	.
	Bassein	4	110	27	2	..	2	90	...	.	3	1	104	1
	Henzada	11	185		24	4	1	85	...	1	1	3	35	7
	Prome	34	83	7	42	3	1	42	1	5	10	8	164	..
	Thayetmyo ...	...	52	.	..	..	...	50	...	2	..	..	15	.
Tenasserim.	Amherst	2	174	4	2	..		111	...	...	...	...	99	22
	Shwe-gyeen ...	16	48	1	3	...	1	47	..	2	...	...	22	
	Toungoo	...	47	..	...	...	1	47	...		...	...	28	..
	Tavoy		1		1	..	.	1	...	3	...	.	13	..
	Mergui	1	...	2	5	...	...	-	...	..	..	..	.	
	Salween . ..	...	2	.	.	...	..	.	...	...		..	..	
	Moulmein ..	18	14	718	6	...	8	7	..	...	5	7	312	.
	Total ...	100	1,129	777	131	7	24	757	1	20	22	23	1,019	33
	In 1875 .	144	993	142	98	8	40	657	1	22	11	18	1,402	14

45. There is an increase of more than 100 in the number of persons called upon to give security for good behaviour. The number of persons imprisoned in default was 757. Of the 83 persons ordered to give security in the Prome district, 64 belonged to the Poungday township. As in last year's report, the greatest number of these orders (*viz.*, 185) were passed by the Henzada magistracy; and of these, 142 in the Tharrawaddy sub-division.

46. A large number of these orders (*viz.*, 174) was also passed by the Magistrate of Amherst. Captain Spearman reports that the

men called upon to give security were "generally opium-smokers, who have carried the habit so far that they are absolutely incapable of working, and, in order to get the means of providing themselves with the drug, commit petty thefts. They became known to the villagers as worthless men, ready to steal any little thing they can lay their hands on. The Magistrate has always insisted upon having the evidence of respectable non-official villagers, and has declined to accept purely official testimony."

47. Eighty-six persons were ordered to give security for good behaviour, by Mr. Parrott, at Syriam. Only 47 of these, however, were imprisoned in default.

48. The law gives to the Magistrates the power of rejecting the security offered. It is noticed that all the persons called upon to give security in the Toungoo and Kyouk-hpyoo districts were imprisoned in default.

49. The next table shows the detention of witnesses, the average duration of trials, and the average number of adjournments :—

Division	Name of District	Number of witnesses discharged after				Average duration of cases		Average number of adjournments		Amount paid to complainants and witnesses
		One day	Two days	Three days	More than three days.	For previous year.	For year under review	For previous year.	For year under review	Rs A P
Arakan	Akyab	1,773	42	9	1	4 1	2 5	1 9	1 3	290 0 0
	Akyab Town	1,617	35				3		0 2	
	Kyouk-hpyoo	3,572	199	40		2	2	1	1	1,103 1 0
	Sandoway	1,116	47	30		1 37	3 4	1	1 6	91 0 0
	Northern Arakan	121				1 72	6	1 18	0 8	
Pegu	Rangoon	7,032	359	13	142	4 6	5	1 8	1	249 8 0
	Thonkwa	3,970	226	25	34	2	4	1	1	597 4 0
	Bassein	9,084	218	41	21	2	2	1	1	1,025 12 0
	Henzada	7,507	567	81	14	3.	3	1·	1·	361 12 0
	Prome	6 444	404	35	12	2·51	2 37	1 2	1 20	124 1 0
	Thayotmyo	5,053	318	62	15	3	2·	2	1·	1,164 14 0
Tenasserim	Amherst	3,127	168	83	31	4	7	1·	1	188 4 0
	Shwe gyeon	3,229	312	87	63	4	3	1 5	1·	227 4 0
	Toungoo	1,413	42	11		2 48	2	1	1	10 14 0
	Tavoy	740	47	3		4 3	4 2	1	1 2	76 0 0
	Mergui	769	51	24		3	2·5	2	1	740 9 4
	Salween	133	15				1		1	
	Moulmein	3,965	1,278	420	9	5·	4 5	1 5	1 5	38 8 0
	Total	60,664	4,323	964	342	3 06	3	1·26	1.	6 2·2 11 4
	As compared with 1875	51,609	4,772	873	375					1 751 8 8

N B—The difference of 924 witnesses between this table and appendix to statement No 3, is due to incorrect figures having been furnished from Kyouk hpyoo

50. Sixty-six thousand two hundred and ninety-three witnesses were examined in the criminal courts of the province throughout the year; and of these, 60,664 were examined on the day of their arrival in court, if the returns are accurate.

51. The result is an improvement upon last year's return, but there is still room for improvement. Three hundred and forty-two witnesses were detained for more than three days; and of these, 142 belong to the district of Rangoon, which district was also unfavourably noticed in this respect in last year's return. Ninety-four witnesses were detained beyond the third day in the court of Mr. Raikes at Pegu. No special explanation was given of this unusual detention in the Pegu Court.

52. In the Shwe-gyeen district also the detention was considerable, 150 witnesses having been detained over the second day. This detention was almost entirely in the District Magistrate's Court, and is explained by the fact that for nearly the whole year there was only one Magistrate with 1st class powers in the district, *viz.*, the Deputy Commissioner; and he had also the charge of the Jail and of the Treasury. In 1875, the District Magistrate examined only 559 witnesses, but in 1876 he examined 1,395.

53. In Thonkwa also the result is bad, due principally to the detention in the Assistant Commissioner's Court at Yandoon and the Magistrate's Court.

54. In Amherst, the detention also took place in the District Magistrate's Court and in the court of Mr. Davis at Thatone.

55. The number of witnesses (*viz.*, 420) called upon to remain three days in attendance is excessively large in the Town Magistrate's Court at Moulmein; but it will be noticed that he examined 5,663 witnesses.

56. In summons cases, where these are also non-cognizable by the Police, it is a proper practice to require the complainant, as has been done by the Town Magistrate of Moulmein, to deposit the expenses of witnesses before summoning them; but when this is done, it is also right, if the accused be convicted and fined, to order part of the fine to be paid in compensation for expenses thus incurred by the complainant.

57. In some districts (Prome, Amherst, and Toungoo, for instance) the Magistrates showed themselves strangely reluctant to take advantage of the rules allowing the expenses of witnesses to be paid by Government in warrant cases. There can be no doubt as to the propriety of the practice where the prosecution is in the public interests, and it is satisfactory to observe that the rules are more generally acted upon than they were in 1875.

58. The average duration of cases is shown at only three days: this is surprisingly low, and is probably due to the vast number of cases summarily disposed of.

59. In the subjoined table is shown the number of appeals from subordinate Magistrates, and the mode in which they were decided by the Magistrate of the district or other officer empowered to hear appeals:—

Division.	Name of district.	Name and designation of Magistrate from whose decision appeal was preferred.	Number of persons convicted by him.	Number of persons who appealed.	Number of persons in whose cases: Sentence was confirmed or appeal rejected.	Sentence was modified. Enhanced.	Sentence was modified. Reduced.	Sentence reversed or proceedings quashed.	Percentage of reversals to convictions.	Number of cases examined by Deputy Commissioner.
Arakan.	Akyab.	Moung Hla Gyaw Oo, Magistrate of the 3rd class ...	152	8	...	...	...	6	4·	24
		Moung Mra Tha Doon, ditto, 2nd class	81	2	...	...	1	1	1·23	...
		Moung Tsan Hla Baw, ditto, 2nd class	110	...	...	...	...	...	...	...
		Moung Shwe Bwin, ditto, 2nd class	18	2	1	...	...	1	5·55	...
		Moung Pha Phroo, ditto, 2nd class	5	...	...	...	...	...	...	...
		Moung Raiphaw Thoo, ditto, 2nd class	181	13	4	...	4	5	2·76	...
		Moung Shwe Taw, ditto, 2nd class	147	6	1	2	3	...	...	...
		Moung Mra Tha Doon, (acting) ditto 3rd class ...	3	...	...	...	...	...	...	...
		Moung Htoon Oo, ditto 2nd class	131	1		...	1	...	...	...
		Mr. Gordon, ditto, ditto ...	...	1	1	...	...	...	.	...
		Mr. Mitchell ditto, ditto ...	3	..	...	...	...	...	..	...
	Kyouk-hpyoo.	Moung Tsan Hla Phroo, Magistrate of the 3rd class ...	62	1	...	...	...	...	...	19
		Moung Htoon Aye, ditto, 2nd class	199	8	...	...	...	8	4·02	15
		Moung Hla Htoon Oung, ditto, 2nd class...	241	9	3	...	...	6	2·48	18
		Moung Tsan Oo, ditto, 2nd class	15	...	...	...	...	...	...	11
		Moung Shwe Boo, ditto, 2nd class	133	5	1	...	...	4	3·	
		Moung Shwe Dike Kay, ditto, 2nd class	218	56	33	...	6	17	7·79	9
	Sandoway.	Moung Shwe Zein, Magistrate of the 3rd class ...	29	...	...	...	...	...	...	13
		Moung Kyouk Khai, ditto, 3rd class	...	...	...	...	...	...	...	...
		Moung Tsan Oo, ditto, 2nd class	27	...	...	...	...	...	...	15
		Moung Shwe Bwin, ditto, 2nd class	16	...	...	...	..	...	.	4
		Moung Pha Phroo, ditto, 2nd class	66	15	6	1	2	6	9·09	11
		Moung Shwe Boo, ditto, 2nd class	23	1	1	...	...	...	...	3
	N. Arakan.	Moung Gna Bouk Kay, Magistrate of the 3rd class ...	15	3	...	...	...	3	20	...

Division.	Name of district.	Name and designation of Magistrate from whose decision appeal was preferred.	Number of persons convicted by him.	Number of persons who appealed.	Number of persons in whose cases. Sentence was confirmed or appeal rejected.	Sentence was modified. Enhanced.	Sentence was modified. Reduced.	Sentence reversed or proceedings quashed.	Percentage of reversals to convictions.	Number of cases examined by Deputy Commissioner.
Pegu.	Rangoon.	Moung Ko, Magistrate of the 3rd class	137	1	...	...	...	1	0·73	30
		Moung Bah Gyaw, ditto, 2nd class	101	5	3	...	...	2	2·	
		Moung Shwe Yoh, ...	263	6	...	...	4	2	0·76	
		Moung Shwe Pay, ditto, 2nd class	325	...	...	...	...	...	...	
		Moung Wyke, ditto, 2nd class	138	...	...	...	...	...	...	
		Moung Hpo, ditto, 2nd class	265	7	1	...	...	6	2·26	
		Lieutenant B. A. N. Parrott, ditto, 1st class...	...	1	1	...	...	...	...	...
	Thonkwa.	Moung Shwe Myat, Magistrate of the 3rd class	104	...	...	...	...	...	...	14
		Moung Gyee ... / Moung Shwe Att	398	19	5	...	4	10	2·51	16
		Moung Pho Kaw	120	...	...	...	...	...	...	16
		Moung Gyee (Thonkwa) ...	85	10	4	...	1	5	5·88	16
		Moung Gyee (Yandoon) ...	123	9	3	...	...	6	4·87	16
		Mr. A. L. Hough ... / „ D. L. Mackay ... / „ G. E. Godbier	64	4	4	...	...	...	...	16
	Bassein.	Moung Kya, Magistrate of the 3rd class	78	4	2	...	...	2	2·56	19
		Moung Bya, ditto, 3rd class	85	1	..	...	...	1	1·17	12
		Moung Poh Oo, ditto, 3rd class	29	...	...	...	...	...	...	3
		Moung Loo Gyee (Ngapootau), ditto, 2nd class	44	7	5	...	...	2	4·54	5
		Moung Koo, ditto, 2nd class	275	6	6	...	...	...	...	18
		Moung Yoh, ditto, 2nd class	212	19	4	...	1	11	5·18	20
		Moung An, ditto, 2nd class	285	4	2	...	2	...	...	18
		Moung Loo Gyee (Yaigyee), ditto, 2nd class	119	5	2	...	...	3	2·52	13
		Moung Shwe Tsee, ditto, 2nd class	239	4	4	...	...	2	0·83	19
		Mr. P. H. Martyr, ditto, 2nd class	189	2	2	...	...	...	...	68
	Henzada.	Moung Htoon Oung, Magistrate of the 3rd class	124	1	1	...	...	...	...	5
		Moung Shwe Theo, ditto, 3rd class	194	1	1	...	...	...	...	11
		Moung Shwe Att, ditto, 2nd class	151	1	1	...	...	...	...	8
		Moung Min Gyaw, ditto, 2nd class	179	35	13	...	17	5	2·79	13

Division.	Name of district.	Name and designation of Magistrate from whose decision appeal was preferred.	Number of persons convicted by him.	Number of persons who appealed.	Number of persons in whose cases: Sentence was confirmed or appeal rejected.	Sentence was modified. Enhanced.	Sentence was modified. Reduced.	Sentence reversed or proceedings quashed.	Percentage of reversals to convictions.	Number of cases examined by Deputy Commissioner.
Pegu.—(*continued.*)	Henzada.—(*concluded.*)	Moung Phau, Magistrate of the 2nd class	222	1	...	...	...	...	0·45	10
		Moung Myeit, ditto, 2nd class	180	1	1	...	...	...	...	10
		Moung Shwe Yin, ditto, 2nd class	1	1	...	...	1	...	...	...
		Moung Shwe Goon, ditto, 2nd class	279	5	3	2	...	...	...	18
		Moung Hpo Han, ditto, 2nd class	...	...	...	...	...	...	...	15
	Prome.	Moung Oh, Magistrate of the 3rd class	69	1	...	...	1	...	...	20
		Moung Gouk, Moung Phoo, ditto, ditto ...	156	...	...	...	...	...	...	19
		Moung Tsaw Nau (Mahathaman)	139	1	1	...	...	...	...	10
		Moung Man	34	8	1	...	...	7	20·58	4
		Moung Tsaw Nau, (Prome) ...	17	...	...	...	...	...	...	2
		Moung Mhai, Magistrate of the 2nd class	267	3	1	...	1	1	0·37	...
		Moung Galay, ditto, 2nd class	14	3	...	...	...	3	21·43	7
		Moung Kyaw Tsan Hla, ditto, 2nd class	38	...	...	...	...	...	...	4
		Mr. E. Richardson, ditto, 1st class	3	...	...	...	...	...	...	12
		Lieutenant F. W. H. Grey, ditto, 1st class	1	...	...	...	...	...	...	4
		Mr. F. S. Copleston, ditto, 1st class	7	...	...	...	...	...	...	18
		Mr. W. C. Midwinter, ditto, 1st class	64	3	...	...	3	...	...	6
	Thayetmyo.	Moung Louk, Magistrate of the 3rd class	131	4	4	...	...	...	..	30
		Moung Tet Pyo, ditto, 2nd class	213	1	1	...	...	...	...	22
		Moung Tetto, ditto, 2nd class	264	6	2	...	...	4	1·51	15
		Moung Tsouk, ditto, 2nd class	93	40	14	...	3	23	24·73	21
	Amherst.	Moung Pai Hlaw, Magistrate of the 3rd class	11	...	...	...	...	...	...	7
		Moung Shwe Gyop, ditto, 3rd class	38	2	1	...	1	...	...	17
		Moung Wet Galay, ditto, 3rd class	171	6	...	...	1	5	2·92	25
		Moung Oh (Hline-bway), ditto, 3rd class	27	...	...	...	...	...	...	6
		Moung Htoon Gyaw, ditto, 3rd class	57	...	...	...	...	...	...	31

Division.	Name of district.	Name and designation of Magistrate from whose decision appeal was preferred.	Number of persons convicted by him.	Number of persons who appealed.	Number of persons in whose cases: Sentence was confirmed or appeal rejected.	Sentence was modified: Enhanced.	Sentence was modified: Reduced.	Sentence reversed or proceedings quashed.	Percentage of reversals to convictions.	Number of cases examined by Deputy Commissioner.
Pegu.—(continued.)	Amherst.—(concluded.)	Moung Myat Meng, Magistrate of the 3rd class	57	...	...	...	...	...	...	10
		Moung Hpo, ditto, 2nd class	63	...	...	...	...	...	...	16
		Mr. J. Slym, ditto, 3rd class	17	...	...	...	...	...	...	2
		Moung Khyiek, ditto, 2nd class	44	14	10	1	3	...	...	19
		Moung Tsoung, ditto, 2nd class	137	1	...	...	...	1	0·73	18
		Moung Oon, ditto, 2nd class	373	4	4	...	...	...	...	27
		Moung Oh (Kaukareit), ditto, 2nd class	17	...	...	...	...	...	...	13
		Moung Galay, ditto, 2nd class	27	...	...	...	...	...	...	8
		Moung Shwe Gnoon, ditto, 2nd class	13	...	...	...	...	...	..	
		Mr. L. Gordon, ditto, 2nd class	103	11	9	...	1	1	0·97	10
	Shwe-gyeen.	Moung Shwe Go, Magistrate of the 2nd class	77	4	3	...	...	1	1·29	12
		Moung Taw, ditto, 2nd class	136	2	1	...	...	...	...	18
		Moung Tha Nyeo, ditto, 2nd class	71	3	1	...	2	...	...	15
		Moung Mhat, ditto, 2nd class Moung Shwe Mho, ditto, 3rd ditto	102	6	8	...	3	...	...	18
		Moung Hpo, ditto, 2nd ditto Moung Myat Min, 3rd ditto	32	1	...	...	1	...	...	9
		Mr. G. E. Barr, ditto, 2nd ditto " R. Phayre ditto, 3rd ditto	144	6	4	...	1	1	0·69	28
		Lieut. T. M. Jenkins, ditto, 2nd class	105	4	1	...	1	1	0·95	1
		Mr. H. Buckle, ditto, 1st class " R. Phayre, ditto, 2nd ditto								
	Toungoo.	Moung Shwe Moung, Magistrate of the 3rd class	1	...	...	...	...	...	...	...
		Moung Dway, ditto, 3rd class	4	...	...	...	...	...	...	...
		Moung Tsan Wah, ditto, 3rd class	62	3	...	...	2	1	1·61	...
		Moung Shwe Att, ditto, 3rd class	15	1	...	...	1	...	...	...
		Moung Shwe, Myat, ditto, 2nd class	13	1	...	...	1	...	...	...
		Moung Gwen, ditto, 2nd class	16	2	1	...	...	1	6·25	2
		Moung Htine, ditto, 2nd class	175	6	3	...	...	3	1·71	...

Division.	Name of district.	Name and designation of Magistrate from whose decision appeal was preferred.	Number of persons convicted by him.	Number of persons who appealed.	Number of persons in whose cases: Sentence was confirmed or appeal rejected.	Sentence was modified. Enhanced.	Sentence was modified. Reduced.	Sentence reversed or proceedings quashed.	Percentage of reversals to convictions.	Number of cases examined by Deputy Commissioner.
Pegu.—(*concluded*).	Toungoo.—(*concluded*).	Lieutenant T. M. Jenkins, (Karen Hills), Magistrate of the 2nd class	4	..	.	...	...	...	.	..
		Major Heath, ditto, 2nd class	64	3	...	3	...	..	...	..
		Colonel Mainwaring, ditto, 2nd class	64	..	...	.	...	...		...
		Major J. McMullin, ditto, 2nd class	41	...	..	..	...	...	..	...
		Baron J Bentinck, ditto, 2nd class	28	7	2	...	3	2	7·14	...
		Lieutenant T. M. Jenkins, (Toungoo), ditto, 2nd class	9	...	..	...	..	...	...	..
		Mr. E. S. Symes, ditto, 2nd class	32	2	2	..	...	..	...	...
	Tavoy.	Moung Shwe Hlaing, Magistrate of the 2nd class	89	25	10	1	7	7	7·86	27
		Moung Phaw, ditto, 2nd class	25	...	...	...	...	..	...	18
		Moung Phet, ditto, 2nd class	18	...	...	...	...	...	...	13
		Moung Shwe Boo, ditto, 3rd class	101	1	...	...	...	1	0·99	24
	Mergui.	Moung Shwe Att, Magistrate of the 2nd class	62	1	1		...	...	...	20
		Mr. R. McLeod, ditto, 2nd class	33	2	1	...	...	...	...	7
		Moung Htoon Oung ditto, 2nd class	5	.	...	...	...	..	...	3
		Moung Myat Htoo, ditto, 3rd class	28	...	...	...	...	...	...	12
		Moung Shwe Poh, ditto, 3rd class	12	.	...	...	...	...	..	9
		Moung Shwe Baw, ditto, 2nd class	15	.	...	...	...	..	..	2
		Total ...	11,121	481	200	11	83	179	1·60	1,209

60. The number of persons convicted by the subordinate Magistrates who appealed to the Magistrate of the district was only 481 throughout the province, or between four and five per cent. of the number convicted. This proportion is higher than in last year's return.

61. I believe the lightness, and perhaps the substantial justice, rather than the legal correctness, of the sentences passed by the Burman Magistrates to be the cause of the low proportion of appeals. Of those who did appeal, more than half succeeded in obtaining a reduction or reversal of the sentence, and the Judicial Commissioner's Court, as a Court of Revision, reversed the sentence in 169 cases in favour of persons improperly convicted who did not appeal.

62. In the Rangoon district, there were 1,229 appealable convictions, and only 20 appeals.

63. It is satisfactory to learn that the Burmans are content generally with the decisions of their own countrymen; but it would be a mistake to infer from this that the decisions are sound, because acquiesced in.

64. The District Magistrate of Amherst mentions one decision, "but a specimen," in which an Extra Assistant Commissioner "fined some villagers for a public nuisance for neglecting to attend to pull the Deputy Commissioner's boat, the Deputy Commissioner not having gone near the place, but having been expected."

65. In this case, it is satisfactory to know that the persons fined did appeal.

66. The work of the Courts of Session is shown below:—

Division	Designation of Judge	Number of persons brought to trial, including cases pending from last year	Number of persons acquitted.	Number of persons convicted.	Number of capital sentences referred for confirmation by Judicial Commissioner or Special Court	Average duration of trials	Number of persons whose cases were left undisposed of at the end of year	Number of persons whose cases have been pending for more than three months from date of commitment.	Number of cases in which Judge agreed with assessors	Number of cases in which Judge disagreed with assessors.
Arakan	Commissioner and Sessions Judge	39	10	18	7	41	11		16	4
Pegu	Commissioner and Sessions Judge	43*	8	26	5	28	6	1	12	6
Tenasserim	Commissioner and Sessions Judge	50†	10	25	5	96	4		20	4
	Judge of the Town of Moulmein	30	9	30	2	18				
	Judicial Commissioner	63‡	25	32	2	39	2		21	20
	Total	234	62	131§	21	44	23	1	69	34
	As compared with 1875	212	55	142	37	38	13	1	68	39

* Four persons transferred to the Court of the Sessions Judge of Pegu.
† One died in jail at Prome, and two transferred to Judicial Commissioner's Court
‡ Eleven persons transferred to the Court of Judicial Commissioner
§ Capital sentences are included here.

67. Two hundred and thirty-four Sessions trials were held, 132 before the three Commissioners of Divisions, 39 before the Judge of the Town of Moulmein, and 63 before the Judicial Commissioner, who now exercises the criminal jurisdiction of the Commissioner of Pegu in regard to the three districts of Rangoon, Thonkwa, and Bassein.

68. The proportion of convictions was lowest in the Court of the Judicial Commissioner, *viz.*, 32 to 57 persons put on their trial. It was highest in the court at Moulmein, where trial is by jury.

69. The number of capital sentences passed was 21, as compared with 33 in 1875; and of these, five were commuted on reference.

70. The average duration of trials, which is reckoned from date of commitment, is very high in the Court of the Commissioner and Sessions Judge of Tenasserim, and was principally caused by the absence of the Commissioner on the demarcation of the frontier. There was also some great delay caused by the non-attendance of witnesses in one case on the day fixed for trial, on which followed a long adjournment. It is hoped that a better result will be shown in this year's return in this respect.

71. The one case shown as pending for more than three months at the close of the year in the Pegu Court is that of a lunatic, whose trial has been indefinitely postponed.

72. The various punishments inflicted by Courts of Session were as follows:—

Division.	Designation of Judge.	Persons sentenced to: Death.	Transportation: For life.	Transportation: For term.	Imprisonment, Rigorous: Over seven years.	Imprisonment, Rigorous: Seven years and under.	Imprisonment, Simple: Over seven years.	Imprisonment, Simple: Seven years and under.	Solitary confinement.	Fine.	Whipping.	Amount of fine: Imposed.	Amount of fine: Realized.	Amount of fine: Awarded as compensation.
												Rs.	Rs.	
Arakan	Commissioner and Sessions Judge.	7	7	...	1	3	...	...	...	...	...	...	...	...
Pegu	Commissioner and Sessions Judge.	5	7	...	1	13	...	...	...	...	...	...	...	...
Tenasserim	Commissioner and Sessions Judge.	5	3	...	7	9	...	1	...	...	...	...	...	...
	Judge of the Town of Moulmein.	2	4	...	...	23	...	...	...	5	...	675	225	...
	Judicial Commissioner.	2*	13	5	...	12	...	...	...	...	...	...	...	...
	Total ...	21	34	5	9	60	...	1	...	5	...	675	225	...
	As compared with 1875.	33	40	...	15	53	...	1	...	4	...	2,360	...	...

* These sentences were referred to, and confirmed by, the Special Court.

78. The result of appeals from Magistrates to Courts of Session was as follows:—

Division.	Name of Magistrate from whose decision the appeal was preferred.		Number of persons convicted by him in appealable cases.	Number of persons who appealed.	Number of persons whose sentences were confirmed or appeals rejected.	Number of persons whose sentences were modified.		Number of persons whose sentences were reversed or proceedings quashed.
						Enhanced.	Reduced.	
Arakan.	Colonel H. N. Davies, Deputy Commissioner	Akyab	24	4	3	...	...	...
	Mr. J. K. Macrae, Town Magistrate	Akyab Town	65	12	12	...	...	...
	Captain G. Alexander, ditto	Akyab Town	17	3	3	...	...	...
	Major W. W. Pemberton, Deputy Commissioner	Kyouk-hpyoo	29	10	8	...	...	1
	Mr. C. J. A. Duke, Officiating Deputy Commissioner	Kyouk-hpyoo	31	1	...	...	...	...
	Colonel C. P. Hildebrand, Deputy Commissioner	Sandoway	62	12	9	1	1	1
	Mr. H. Buckle, Deputy Commissioner	Hill Tracts	39	1	...	...	..	1
	Captain G. Hughes, Deputy Commissioner	Hill Tracts		...	...	...	...	...
Pegu.	Mr. W. deCourcy Ireland, Deputy Commissioner	Rangoon	62	27	26	.	...	1
	Captain M. C. Poole, Officiating Deputy Commissioner	Rangoon	33	3	3	...	..	...
	Lieutenant B. A. N. Parrott, Assistant Commissioner (Syriam)	Rangoon	240	33	20	...	7	6
	Lieutenant F. D. Raikes, Assistant Commissioner (Syriam)	Rangoon	103	18	9	2	3	4
	Lieutenant B. A. N. Parrott, Assistant Commissioner (Hmaubee)	Rangoon	20	..	.	...	...	...
	Lieutenant H. Boileau, Assistant Commissioner	Rangoon	11	2	1	..	...	1
	Lieutenant W. F. H. Grey, Assistant Commissioner	Rangoon	4	5	3	..	...	2
	Mr. S. F. A. Smith, Officiating Deputy Commissioner	Thonkwa	...	13	11	...	1	1
	Captain C. H. A Gower, Officiating Deputy Commissioner	Thonkwa	92	17	11	...	...	6
	Mr. G. L. Weidemann, Assistant Commissioner (Pantanau)	Thonkwa	87	11	11	...	...	...
	Mr. A. R. Birks, Assistant Commissioner (Yandoon)	Thonkwa	61	8	5	...	3	...
	Mr. C. J. A. Duke, Assistant Commissioner (Yandoon)	Thonkwa	...	2	2	...	...	...
	Mr. R. F. St. A. St. John, Deputy Commissioner	Bassein	72	21	14	...	1	6
	Mr. C. J. A. Duke, Officiating Deputy Commissioner	Bassein	24	3	3	...	...	...
	Mr. A. L. Hough, Extra Assistant Commissioner, Bassein	Bassein	21	5	2	...	...	3
	Mr. E. Richardson, Extra Assistant Commissioner	Bassein	1	...	...	...	...	...
	Mr. C. J. A. Duke, Assistant Commissioner	Bassein	63	33	30	...	1	2
	Mr. H. L. St. Barbe, Assistant Commissioner	Bassein	83	22	21	...	...	1
	Mr. A. L. Hough, Extra Assistant Commissioner, (Ngathinegyoung)	Bassein	27	4	1	...	...	3
	Lieutenant-Colonel A. G. Duff, Deputy Commissioner	Henzada	16	2	2	...	...	...
	Captain M. C. Poole, Officiating Deputy Commissioner	Henzada	20	10	9	...	...	1
	Mr J. K. Macrae, Deputy Commissioner	Henzada	31	7	6	...	...	1

Division.	Name of Magistrate from whose decision the appeal was preferred.		Number of persons convicted by him in appealable cases.	Number of persons who appealed.	Number of persons whose sentences were confirmed or appeals rejected.	Number of persons whose sentences were modified.		Number of persons whose sentences were reversed or proceedings quashed.
						Enchanced.	Reduced.	
Pegu.—(*concluded.*)	Major C. O'L. L. Prendergast, Assistant Commissioner	Henzada.—(*concluded*).	99	15	10	...	...	5
	Captain M. C. Poole, Assistant Commissioner		47	2	2	...	...	...
	Captain H. Boileau, Assistant Commissioner		96	9	6	...	2	1
	Mr. A. O. Brown, Assistant Commissioner		142	17	11	...	2	4
	Mr. G. L. Weidemann, Assistant Commissioner		20	...	...	...	...	...
	Mr. A. R. Birks, Assistant Commissioner		4	...	...	...	...	...
	Major C. O'L. L. Prendergast, Assistant Commissioner	Prome ...	8	...	...	...	...	...
	Lieutenant-Colonel A. R. McMahon, Deputy Commissioner		51	19	15	...	3	1
	Mr. F. S. Copleston, Assistant Commissioner		...	4	3	...	1	...
	Lieutenant W. F. H. Grey, Assistant Commissioner		11	3	...	...	...	2
	Mr. E. Richard, Senior Extra Assistant Commissioner		40	11	9	...	...	2
	Mr. F. S. Copleston, Assistant Commissioner (Padoung)		90	25	19	...	2	4
	Mr. W. C. Midwinter, Assistant Commissioner (Poungday)		252	31	23	...	4	1
Tenasserim.	Major W. C. Plant, Deputy Commissioner	Thayetmyo ...	60	32	27	...	3	...
	Mr. R. A. D. Perreau, Assistant Commissioner (Thayetmyo)		92	33	17	...	7	6
	Mr. G. D. Burgess, Assistant Commissioner		178	67	54	...	4	9
	Mr. R. A. D. Perreau, Assistant Commissioner, Magistrate		6	...	...	...	...	...
	Captain H. Spearman, Deputy Commissioner	wmherst ...	102	30	21	...	1	...
	Lieutenant W. F. H. Grey, Assistant Commissioner		43	6	...	...	1	...
	Mr. J. C. Davis, Assistant Commissioner		186	11	11	...	...	...
	Mr. C. J. F. S. Forbes, Officiating Deputy Commissioner	Shwe-gyeen ...	392	7	5	...	1	1
	Mr. A. Hough, Officiating Deputy Commissioner			31	23	...	...	...
	Lieutenant-Colonel M. Lloyd, Deputy Commissioner	Toungoo ...	167	3	...	...	3	...
	Mr. A. H. Hildebrand, Officiating Deputy Commissioner			8	7	...	...	...
	Colonel E. J. Spilsbury, Deputy Commissioner	Tavoy ...	64	17	12	...	...	2
	Lieutenant-Colonel W. Munro, Deputy Commissioner	Mergui ...	92	7	1	...	...	...
	Mr. A. H. Hildebrand, Deputy Commissioner	Salween ...	20	...	...	...	...	...
	Major M. Furlong, Town Magistrate.	Moulmein ...	49	13	13	...	..	...
		Total ...	3,649	690	514	3	51	79

74. The proportion of appeals, 690 to 3,649 persons convicted, was nearly 19 per cent.—four times as high as the proportion of appeals from the decisions of the Subordinate magistrates. This confirms the opinion expressed in a former paragraph of this report, that the lightness of the sentences is the principal cause of the paucity of appeals from the sentences of the Burman magistracy.

75. Only 130 persons, or 18 per cent. of those who appealed, succeeded in obtaining the reduction or reversal of the original sentence.

76. In the cases of three persons, sentence was enhanced on appeal. In regard to two of these, the sentence was enhanced by the Judicial Commissioner, sitting as Sessions Judge of Pegu. It was a case of cheating, and thereby inducing delivery of two gold necklaces. The punishment of two months' imprisonment, passed by the Assistant Commissioner, appeared inadequate, and was increased to six months.

77. It is creditable to the judgment of Major Furlong, Town Magistrate of Moulmein, that not one of his decisions was disturbed on appeal.

78. The result of appeals is also favourable to Mr. Davies, Mr. St. Barbe, Mr. Duke, Mr. Weidemann, among the Assistant Commissioners, and to Mr. Macrae, Town Magistrate at Akyab.

79. The work of Appellate Courts is shown in the subjoined table:—

Division.	Designation of tribunal and name of Judge or Magistrate.	Number of appeals preferred, including those pending from previous year.	Number decided.	Number returned for further enquiry.	Average duration of appeal.	Number left pending at close of year.	Of these, pending for more than six weeks.
Arakan.	Colonel H. N. Davies, Deputy Commissioner, Akyab...	18	17	...	12·	1	
	Major W. W. Pemberton, Deputy Commissioner, Kyouk-hpyoo	29	28	1	4·1	...	
	Mr. C. J. A. Duke, Officiating Deputy Commissioner, Kyouk-hpyoo	13	12	...	3·8	1	
	Colonel C. P. Hildebrand, Deputy Commissioner, Sandoway	14	14	...	4·5	...	
	Mr. H. Buckle, Officiating Deputy Commissioner, Hill District	1	1	...	1·	...	
	Lieutenant-Colonel E. B. Sladen, Commissioner and Sessions Judge	28	26	1	10·	1	
Pegu.	Mr. W. deCourcy Ireland, Deputy Commissioner, Captain M. C. Poole, Officiating Deputy Commissioner, — Rangoon ...	20	20	...	1·	...	
	Mr. S. F. A. Smith, Officiating Deputy Commissioner, Captain C. H. A. Gower, Officiating Deputy Commissioner, — Thonkwa ...	19	19	...	9·3	...	
	Mr. R. F. St. A. St. John, Deputy Commissioner, Bassein	40	37	...	10·	3	
	Lieutenant-Colonel A. G. Duff, Deputy Commissioner, Captain M. C. Poole, Officiating Deputy Commissioner, Mr. J. K. Macrae, Deputy Commissioner — Henzada ...	27	27	...	4·	...	
	Lieutenant-Colonel A. R. McMahon, Deputy Commissioner, Prome	11	11	...	4·	...	
	Major W. C. Plant, Deputy Commissioner, Thayetmyo	22	22	...	2·4	...	
	Colonel R. D. Ardagh, Commissioner and Sessions Judge, Lieutenant-Colonel A. G. Duff, Commissioner and Sessions Judge	245	241	...	10·	4	
	Mr. J. W. Quinton, Judicial Commissioner, as Court of Session	144	144	...	30·	...	
Tenasserim.	Captain H. R. Spearman, Deputy Commissioner, Amherst	26	26	...	8·	...	
	Mr. C. J. F. S. Forbes, Officiating Deputy Commissioner, Mr. A. Hough, Officiating Deputy Commissioner, — Shwe-gyeen ...	26	25	...	5·	1	
	Lieutenant-Colonel M. Lloyd, Deputy Commissioner, Mr. A. H. Hildebrand, Officiating Deputy Commissioner, — Toungoo ...	19	19	...	9·	...	
	Colonel E. J. Spilsbury, Deputy Commissioner, Tavoy	21	20	...	4·	1	
	Lieutenant-Colonel W. Munro, Deputy Commissioner, Mergui	3	2	...	4·	1	
	Mr. A. H. Hildebrand, Assistant Commissioner, Salween	...	...	...	...	...	
	Colonel D. Brown, Commissioner and Sessions Judge	*84	7	...	1·	...	
	Colonel R. D. Ardagh, ditto ditto		60	...	9·	5	
	Mr. D. G. Macleod, Sessions Judge	5	5	...	3·	...	
	Total ...	815	783	2	6·	18	

* Eight transferred.

Four rejected, being beyond jurisdiction.

80. The business of the Appellate Courts was disposed of with sufficient promptness.

81. The financial result of the rules regulating the fees chargeable for the service of processes and the remuneration of peons is shown in the following table :—

Division.	Name of District.	RECEIPTS. Fees realized on account of: Summons on witness — Number of processes.	Summons on witness — Amount of fees.	Summons on accused person — Number of processes.	Summons on accused person — Amount of fees.	Warrant of arrest — Number of processes.	Warrant of arrest — Amount of fees.	Notice, proclamation, or other order — Number of processes.	Notice, proclamation, or other order — Amount of fees.	Total — Number of processes.	Total — Amount of fees.
			Rs. A. P.		Rs. A. P.		Rs. A. P.		Rs. A. P.		Rs. A. P.
Arakan	Akyab ...	1,257	628 8 0	496	496 0 0	101	202 0 0	...	...	1,854	1,326 8 0
	Akyab Town ...	465	232 8 0	445	445 0 0	28	56 0 0	1	1 0 0	939	734 8 0
	Kyouk-hpyóo ...	995	497 8 0	310	310 0 0	70	140 0 0	...	...	1,375	947 8 0
	Sandoway ...	409	204 8 0	153	153 0 0	7	14 0 0	1	2 0 0	570	373 8 0
	Northern Arakan ...	..	...	.	...	...	..	..	...	...	...
Pegu	Rangoon ...	1,115	557 0 0	646	646 0 0	86	174 0 0	6	6 0 0	1,853	1,383 0 0
	Thonkwa ...	724	362 0 0	423	423 0 0	36	72 0 0	2	2 0 0	1,185	859 0 0
	Bassein ...	1,579	789 8 0	661	661 0 0	127	254 0 0	12	12 0 0	2,379	1,716 8 0
	Henzada ...	980	490 0 0	475	475 0 0	49	98 0 0	2	2 0 0	1,506	1,065 0 0
	Prome ...	1,606	802 0 0	716	715 0 0	117	234 0 0	21	21 0 0	2,460	1,772 0 0
	Thayetmyo ...	734	367 0 0	249	249 0 0	69	138 0 0	1	1 0 0	1,053	755 0 0
Tenasserim	Amherst ...	1,145	572 8 0	541	541 0 0	63	126 0 0	30	30 0 0	1,779	1,269 8 0
	Shwe-gyeen ...	911	455 8 0	305	305 0 0	72	144 0 0	1	2 0 0	1,289	906 8 0
	Toungoo ...	671	307 0 0	288	291 0 0	44	89 0 0	6	9 0 0	1,009	696 0 0
	Tavoy ...	370	185 0 0	127	127 0 0	9	18 0 0	...	...	506	330 0 0
	Mergui ...	318	159 0 0	144	144 0 0	13	26 0 0	4	4 0 0	479	333 0 0
	Salween ...	43	21 8 0	10	10 0 0	1	2 0 0	...	...	54	33 8 0
	Moulmein ...	1,501	750 8 0	702	702 0 0	115	230 0 0	18	18 0 0	2,336	1,700 8 0
	Total ...	14,823	7,381 8 0	6,691	6,693 0 0	1,007	2,017 0 0	105	110 0 0	22,626	16,201 8 0

Division.	Name of district.	Charges — On account of: Fixed establishment of peons.	Additional peons.	Boat or conveyance hire.	Stationery.	Badges of peons.	Other contingencies.	Total.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Arakan ...	Akyab	1,368 0 0	...	66 10 0	...	..	...	1,434 10 0
	Akyab Town	612 0 0	...	.	...	.	..	612 0 0
	Kyouk-hpyoo	888 0 0	1 0 0	70 11 0	...	73 6 0	43 0 0	1,076 0 0
	Sandoway	264 0 0	..	..	...	..	...	264 0 0
	Northern Arakan ...	...	...	...	...	...	...	..
Pegu ..	Rangoon	972 0 0	...	...	...	...	102 4 0	1,074 4 0
	Thonkwa	1,140 0 0	...	..	...	...	100 0 0	1,240 0 0
	Bassein	1,323 13 6	4 0 0	4 12 0	...	...	...	1,332 9 6
	Henzada	1,138 8 0	.	...	...	...	...	1,138 8 0
	Prome	1,902 0 0	...	...	...	...	80 8 0	1,982 8 0
	Thayetmyo	1,124 0 0	.	...	...	..	...	1,124 0 0
Tenasserim	Amherst	636 0 0	...	1 2 0	...	..	...	637 2 0
	Shwe-gyeen	672 0 0	...	4 14 0	...	28 12 0	...	705 10 0
	Toungoo	834 0 0	...	...	...	...	...	834 0 0
	Tavoy	312 0 0	...	...	...	...	...	312 0 0
	Mergui	396 0 0	...	8 12 0	...	...	...	404 12 0
	Salween	...	...	1 8 0	..	...	2 0 0	4 0 0
	Moulmein	1,572 0 0	..	...	...	...	...	1,572 0 0
	Total ...	15,154 5 6	5 0 0	158 5 0	...	102 2 0	328 4 0	15,748 0 6

82. Although the general receipts for the province exceed the expenditure, they are deficient in the districts of Akyab, Kyouk-hpyoo, Thonkwa, Henzada, Prome, Thayetmyo, Toungoo, and Mergui.

83. Special instructions will be issued to the Deputy Commissioners of these districts to report whether a reduction cannot be effected in the number of peons.

84. In the subjoined table is shown the work of the Court of the Judicial Commissioner as a Court of Appeal:—

Division.	Designation of tribunal and name of Deputy Commissioner or Sessions Judge.	Number of appellants.	Number of persons whose appeals were rejected.	Sentence.				Pending.
				Confirmed.	Modified.		Reversed.	
					Enhanced.	Reduced.		
Arakan.	Colonel H. N. Davies, Deputy Commissioner, Akyab...	1	...	...	...	...	1	...
	Major W. W. Pemberton, ditto ditto, Kyouk-hpyoo	2	...	2	...	...	...	...
	Colonel C. P. Hildebrand, ditto ditto, Sandoway ...	2	...	2	...	..	..	..
	Mr. H. Buckle, Offg. ditto ditto, N. Arakan ...	1	...	1	...	...	...	.
	Colonel E. M. Ryan, Commissioner and Sessions Judge ...	2	...	2	...	...	.	...
	Lieut.-Colonel E. B. Sladen, ditto ditto ditto ...	13	...	11	..	1	...	1
Pegu.	Mr. W. deCourcy Ireland, Deputy Commissioner, Rangoon	11	...	7	..	..	4	...
	Captain M. C. Poole, Offg. ditto ditto, ditto ..	3	...	1	...	2	...	...
	Mr. S. F. A. Smith, ditto ditto ditto, Thonkwa..	1	1	...	...	...	...	...
	Capt. C. H. A. Gower, ditto ditto ditto, ditto ...	2	...	2	...	...	...	...
	Mr. R. F. St. A. St. John, ditto ditto, Bassein ..	17	...	10	...	2	5	...
	Mr. C. J. A. Duke, Offg. ditto ditto, ditto ...	3	...	3	...	...	...	...
	Lieut.-Colonel A. G. Duff, ditto ditto, Henzada ...	2	...	2	...	...	...	...
	Captain M. C. Poole, Offg. ditto ditto, ditto	5	1	2	...	...	2	...
	Lieut.-Colonel A. R. McMahon, Deputy Commissioner, Prome	8	...	5	...	...	3	...
	Major W. C. Plant, Deputy Commissioner, Thayetmyo ...	3	..	1	...	...	2	...
	Colonel R. D. Ardagh, Commissioner and Sessions Judge	11	...	10	...	1	..	...
	Lieut-Colonel A. G. Duff, Offg. ditto ditto ...	10	...	10	...	...	...	...
Tenasserim.	Captain H. R. Spearman, Deputy Commissioner, Amherst	17	6	6	...	1	4	...
	Mr. C. J. F. S. Forbes, Offg. ditto ditto, Shwe-gyeen	2	...	1		...	1	...
	Mr. A. Hough, ditto ditto ditto, ditto ...	10	1	2	...	4	3	...
	Lieut.-Colonel M. Lloyd, ditto ditto, Toungoo ...	2	...	2	...	...	...	...
	Mr. A. H. Hildebrand, Offg. ditto ditto, ditto ...	4	...	3	...	...	...	1
	Colonel E. J. Spilsbury, ditto ditto, Tavoy ...	9	...	6	...	2	1	...
	Colonel D. Brown, Commissioner and Sessions Judge ...	1	...	1	...	...	...	...
	Colonel R. D. Ardagh, ditto ditto ditto ...	9	...	7	...	1	...	1
	Mr. D. G. Macleod, Sessions Judge, Moulmein... ...	5	1	4	...	...	...	...
	Total	156	10	103		14	26	3

85. The number of appellants in the Court of the Judicial Commissioner sitting as a High Court was 156, an increase of 20 upon the number in the preceding year. Only 40 of the appellants succeeded in obtaining any alteration of the sentences passed by the lower courts.

86. The number of reversals was small, only 16 per cent. Not one sentence passed by a Sessions Judge was reversed. The result may be considered satisfactory.

87. The work of the Judicial Commissioner's Court as a Court of Revision is shown in the next table :—

Division.	Designation of tribunal and name of Deputy Commissioner or Sessions Judge.		Number of persons whose cases were called for.	Sentence: Confirmed.	Sentence: Modified: Enhanced.	Sentence: Modified: Reduced.	Sentence: Reversed.	Pending.	Remarks.
Arakan.	Colonel H. N. Davies, Deputy Commissioner		1	...	1	...	...	...	
	Moung Tsan Hla Baw, Extra Assistant Commissioner, Myohoung	Akyab District	2	1	...	...	1	...	
	„ Shwe Taw, ditto ditto, Ooreetoung West	Akyab District	1	1	...	...	...	...	
	„ Htoon Oo, ditto ditto, Naaf	Akyab District	1	...	...	...	1	...	
	Mr. J. K. Macrae, Town Magistrate	Akyab District	1	1	...	...	...	...	
	„ L. Gordon, Assistant Commissioner, Akyab	Akyab District	2	2	...	...	...	...	
	Moung Shwe Dike Kay, Extra Assistant Commissioner, Kyouk-hpyoo... ...	Kyouk-hpyoo District.	2	...	...	1	1	...	
	„ Hla Htoon Oung, ditto ditto, Ramree ...	Kyouk-hpyoo District.	1	1	...	...	...	...	
	„ Tsan Oo, ditto ditto, Gwa		6	...	...	6	...	...	
	„ Shwe Dzeng, ditto ditto, Toungoop ...	Sandoway District.	3	2	...	1	...	...	
	„ Shwe Boo, ditto ditto, Sandoway ...	Sandoway District.	2	...	...	...	2	...	
	„ Pha Phroo, ditto ditto, ditto ...	Sandoway District.	3	2	...	1	...	...	
	Captain H. R. Spearman, Deputy Commissioner	Sandoway District.	1	1	...	...	...	...	
	Lieutenant-Colonel E. B. Sladen, Commissioner and Sessions Judge		2	1	...	1	...	...	
	Moung Shwe Zin, Extra Assistant Commissioner, Pegu ...	Rangoon District.	1	...	...	...	1	...	
	„ Wike, ditto ditto, ditto ...	Rangoon District.	2	...	...	...	2	...	
	„ Hpo, ditto ditto, Angyee ...	Rangoon District.	2	...	...	1	1	...	
	„ Shwe Pay, ditto ditto, Hmaubee ...	Rangoon District.	1	1	...	...	...	...	
	„ Shwe Kyee, ditto ditto, Hphoungleng	Rangoon District.	1	1	...	...	...	...	
	Lieutenant F. D. Raikes, Assistant ditto, Pegu ...	Rangoon District.	3	1	...	2	...	...	
	„ B. A. N. Parott, ditto ditto, Syriam ...	Rangoon District.	1	...	...	1	...	...	
	Mr. W. deCourcy Ireland, Deputy ditto, ...	Rangoon District.	4	3	...	1	...	...	
	Moung Shwe Att, Extra Assistant ditto, Pyapoon ...	Thonkwa District.	2	...	...	...	2	...	
	„ Shwe Myat, ditto ditto, Shwe-loung	Thonkwa District.	1	...	...	...	1	...	
	„ Hpo Kaw, ditto ditto, Donabyoo ...	Thonkwa District.	11	11	...	...	...	...	
	„ Shwe Thee, ditto ditto, Yandoon ...	Thonkwa District.	1	1	...	...	...	...	
	„ Gyee, ditto ditto, ditto ...	Thonkwa District.	1	1	...	...	...	...	
	„ Gvee, ditto ditto, Thopkwa ...	Thonkwa District.	3	...	...	...	3	...	
	Mr. A. L. Hough, ditto ditto, Ma-oo-bin ...	Thonkwa District.	2	1	...	...	1	...	
	„ A. R. Birks, Assistant ditto, Donabyoo ...	Thonkwa District.	1	1	...	...	...	...	

PEGU.	Lieutenant B. A. N. Parott, Assistant Commissioner, Ma-oo-bin		3	...	...	...	3	...
	Mr. S. F. A. Smith, Officiating Deputy ditto		18	3	...	1	14	...
	Captain C. H. A. Gower, ditto ditto		9	5	...	1	3	...
	Mr. G. L. Weidemann, Assistant Commissioner, Pantanau ...	Bassein District.	3	...	...	3	...	...
	Moung Yo, Extra Assistant Commissioner, Thaboung ...		2	2	...	...	...	...
	" Kya, ditto ditto, Myoungmya ...		2	2	...	...	...	...
	" Shwe Tsee, ditto ditto, Laymyethna ...		1	1	...	...	...	...
	" Koo, ditto ditto, Theegwin ...		25	...	...	...	25	...
	" Byah, ditto ditto, Yaigyee		124	123	...	1	...	...
	Mr. C. J. A. Duke, Assistant ditto, Bassein		11	1	5	3	2	...
	" H. L. St. Barbe, ditto ditto, Ngathinegyoung ...		9	1	...	5	3	...
	" A. L. Hough, Extra Assistant ditto, ditto ...		1	...	...	...	...	1
	" C. J. A. Duke, Officiating Deputy Commissioner		3	...	...	3	...	...
	" R. F. St. A. St. John, Deputy Commissioner		2	2	...	...	...	...
	Moung Min Gyaw, Extra Assistant Commissioner, Okhpo ...	Henzada District.	3	...	...	3	...	...
	" Hpan, ditto ditto, ditto ...		8	8	...	...	...	...
	" Shwe Goon, ditto ditto, Tsanyway ...		6	2	1	...	3	...
	" Shwe Att, ditto ditto, Monio ...		2	2	...	...	...	...
	Mr. A O. Brown, Assistant Commissioner, Tharawaddy ...		8	8	...	...	...	...
	Lieutenant H. Boileau, ditto, Myanoung ...		4	4	...	...	...	...
	Captain M. C. Poole, ditto, ditto ...		3	2	...	...	1	...
	Major C. O'L. L. Prendergast, ditto, Henzada		9	3	1	1	4	...
	Captain M. C. Poole, Officiating Deputy Commissioner ...		5	3	...	2	...	...
	Moung Hmay, Extra Assistant Commissioner, Shwedoung ...	Prome District	1	1	...	...	...	...
	" Hpo, ditto ditto, Poungday ...		2	...	...	...	2	...
	Mr. W. C. Midwinter, Assistant ditto, ditto ...		1	1	...	...	...	...
	" F. S. Copleston, ditto ditto, Padoung ...		5	2	...	3	...	...
	Moung Tet Pyo, Extra ditto ditto, Meaday ...	Thayetmyo District.	2	...	...	...	2	...
	" Shwe Louk, ditto ditto, Kama ...		6	3	...	...	3	...
	" Tsouk, ditto ditto, Mendoon ...		42	...	...	4	30	...
	Mr. R. A. D. Perreau, Assistant ditto, ...		8	6	...	1	1	...
	Colonel R. D. Ardagh, Commissioner and Sessions Judge		1	...	...	1	...	...
	Lieutenant-Colonel A. G. Duff, Officiating ditto		1	1	...	...	...	...
TENASSERIM.	Moung Ong, Extra Assistant Commissioner, Beeloogyoon ...	Amherst District.	2	2	...	...	...	...
	" Tsoung, ditto ditto, Zeah		2	2	...	...	...	...
	" Chaik, ditto ditto, Amherst ...		3	2	...	...	1	...
	" Wet Galay, ditto ditto, Gyne Salween ...		5	5	...	...	...	...
	Mr. J. C. Davis, Assistant Commissioner, Thatone		1	...	...	...	1	...
	Captain H. R. Spearman, Deputy Commissioner		6	6	...	...	...	...
	Moung Taw, Extra Assistant Commissioner, Kyouk-kyee ...	Shwe-gyeen District.	7	4	...	...	3	...
	" Hpo, ditto ditto, Shwe-gyeen ...		2	2	...	...	...	...
	" Shwe Go, ditto ditto, ditto ...		1	...	1	...	...	...
	" Shwe Go, ditto ditto, Thayethamein ...		1	...	...	...	1	...
	" Tha Nyo, ditto ditto, Beeling		4	1	...	...	3	...
	" Shwe Hmat, ditto ditto, Sittang		6	6	...	...	...	...
	Mr. R. Phayre, Assistant Commissioner, Kyeikhto		1	1	...	...	...	...
	" C. J. F. S. Forbes, Officiating Deputy Commissioner ...		5	3	...	2	...	...
	" A. Hough, ditto ditto ...		2	...	...	...	2	...

Division.	Designation of tribunal and name of Deputy Commissioner or Sessions Judge.		Number of persons whose cases were called for.	Sentence					Remarks.
				Confirmed.	Modified.		Reversed.	Pending.	
					Enhanced.	Reduced.			
Tenasserim—(*concluded*).	Moung Gwin, Extra Assistant Commissioner, Myoma ...	Toungoo District.	3	2	...	...	1	..	
	„ Shwe A, ditto ditto, Thagara ...		1	1	...	...	...	...	
	Baron J. Bentinck, Assistant Commissioner, Toungoo ...		6	5	...	1	...	..	
	Mr. A. H. Hildebrand, Officiating Deputy Commissioner ...		2	1	...	1	...	...	
	Moung Shwe Boo, Extra Assistant Commissioner, West Tavoy	Tavoy District	10	...	...	...	10	...	
	„ Shwe Boo, ditto ditto, South-east ditto		1	...	...	...	1	...	
	Colonel E. J. Spilsbury, Deputy Commissioner		6	5	...	...	1	...	
	Moung Shwe Att, Extra Assistant Commissioner, Mergui ...	Mergui District	10	10	...	...	...	...	
	„ Myat Htoo, ditto ditto, Palaw ...		6	6	...	...	...	...	
	„ Htoon Aye, ditto ditto, Lenya ...		5	...	...	...	5	...	
	„ Shwe Naw, ditto ditto, Pahpoon ...	Salween District ..	21	5	...	...	16	...	
	Major M. Furlong, Town Magistrate, Moulmein		6	2	...	...	4	...	
	Colonel R. D. Ardagh, Commissioner and Sessions Judge		4	1	2	1	...	...	
		Total ...	524	291	11	52	169	1	

88. The cases of 524 persons came before the Court of the Judicial Commissioner as a Court of Revision. The number for the preceding year was 487. A large number of cases were called for by the Judicial Commissioner on a perusal of the monthly statements of sentences passed, which are now submitted by every court in the province.

89. Of the 124 persons sentenced by Moung Bya, Extra Assistant Commissioner of Yaigyee, in the Bassein district, 121 were punished in one prosecution for a public nuisance. The Extra Assistant Commissioner was advised that the punishment of a few prominent offenders would be a more proper proceeding.

90. The 25 persons whose convictions by the Extra Assistant Commissioner of Theegwin, in the same district, were set aside, were illegally convicted under the Fishery Act.

91. The 14 persons in whose case orders were passed by the Court of the Judicial Commissioner, setting aside the orders passed by Mr. S. F. A. Smith, Deputy Commissioner of Thonkwa, had been called upon by the latter to give security for good behaviour. The order had been passed by the Magistrate on evidence recorded by an Assistant Commissioner, whereas the law only empowers the Magistrate to proceed on evidence adduced before himself.

92. Thirty persons were convicted by Moung Tsouk, Extra Assistant Commissioner of Mendoon, in the Thayetmyo district, under section 403 of the Indian Penal Code, for killing and eating a pig which had no owner. It was held by the Judicial Commissioner that a wild pig could not become the subject of criminal misappropriation, and the sentences of fine which had been passed by the Extra Assistant Commissioner were set aside.

93. Several illegal sentences passed under the Gambling Act were set aside.

94. It was found necessary to enhance the sentences passed on 11 persons. In the case of the two persons sentenced by the Commissioner and Sessions Judge of Tenasserim, it was found that grievous hurt was attempted to be caused by the accused, or one of them, in committing the offence of house-breaking by night. The owner of the house was wounded by a *dha* on the forehead, and seemed narrowly to have escaped death. The sentence of five years' rigorous imprisonment passed by the Sessions Judge was enhanced to one of ten years' transportation.

95. The subjoined table shows the work of the Court of the Judicial Commissioner as a Court of Reference for the confirmation of capital sentences:—

Division.	Name of Sessions Judge.	Number of capital sentences referred for confirmation.	Number of capital sentences confirmed.	Number modified.	Number of persons acquitted.	Pending.	Remarks
Arakan Division ...	Lieut.-Col. E. B. Sladen, Commissioner and Sessions Judge	7	6	1	...	...	
Pegu Division ...	Colonel R. D. Ardagh, Commissioner and Sessions Judge	*8	6	2	...	...	
	Lieut.-Colonel A. G. Duff, Officiating Commissioner and Sessions Judge...	1	1	...	...	...	
Tenasserim Division	Colonel D. Brown, Commissioner and Sessions Judge	†1	1	...	...	...	
	Colonel R. D. Ardagh, Commissioner and Sessions Judge	5	3	2	...	...	
	Mr. D. G. Macleod, Sessions Judge, Moulmein..	2	2	...	...	...	
	Total ...	24	19	5	...	...	

* Three cases were pending from last year; one case was committed in December 1875, but received in Judicial Commissioner's Office in January 1876.

† Pending from previous year.

96. Mr. Quinton officiated as Judicial Commissioner during the whole of the year 1876, and I only returned from furlough in March 1877. I regret, therefore, that I am not able to give any account of the general administration of the province in the Judicial Department from my own personal knowledge.

J. D. SANDFORD,

Judicial Commissioner,

British Burma.

PART III.

Courts under the supervision of the Commissioner of the Arakan Division.

From the Commissioner of the Arakan Division to the Secretary to the Chief Commissioner, British Burma,—No. A.-102, dated the 9th March 1877.

I HAVE the honour to submit the Annual Report on the Administration of Civil Justice in the Hill District of Arakan for the year 1876.

2. The following papers are submitted in original :—

1.—Report of the Superintendent on the Administration of Civil Justice in the Hill District of Arakan for the year 1876, with Statements I. and VI. to X.
2.—General Statement No. I.

3. There has been a slight change in the constitution of the court during the year.

Regulation V. of 1876—a regulation to amend the Arakan Hills Justice Regulation, 1874—was passed, by which the Deputy Commissioner of the Hills District, who was invested only with civil appellate powers, is now empowered to entertain and try all civil suits originally instituted in his own court.

Suits instituted.

4. The total number of suits instituted in this district during the year was 119, against 104 in 1875, showing an increase of 15 suits.

The increase was, as in the previous year, entirely in the Court of the Deputy Commissioner; while in the Court of the Extra Assistant Commissioner there was a falling-off of 10 suits in the number instituted.

In the Court of the Deputy Commissioner there were 57 suits instituted during the year, against 32 in 1875, showing an increase of 25 suits.

The Deputy Commissioner assigns no particular reason for this large increase of suits in his own court, but makes the following remarks :—

From the above table it will be seen that the number of cases has decreased in the Court of the Extra Assistant Commissioner, while it has increased by 25 cases in the Court of the Deputy Commissioner. I would also observe that a

good many cases are settled by the chiefs by arbitration privately, which are not shown in the returns It will be noticed from a perusal of Statement II. that none of the suits were based on written contracts, for, as has often been observed in former reports, none of the Hill Tracts population, except about 170 Chyoungthas and a few Arakanese in the Myouk-toung circle adjoining the plains, have any written language

It may perhaps be necessary to notice here that in 1874 only seven suits were instituted in the Court of the Deputy Commissioner, and in 1875 there were 32, so that there was an increase of 25 suits in the number instituted in the year 1875.

This increase was explained in the District Report of 1875 to be owing to a number of suits instituted in that court against Policemen by petty traders, for value of goods purchased on credit, and that such claims were formerly settled by the Police Superintendent, by directing the men to liquidate them.

Allowing, therefore, that such suits against Policemen are similarly included in the returns of the year of report, and that a good many cases are settled by the chiefs, by private arbitration, and not shown in the returns, yet the increase in the number of suits instituted in the year of report in the Court of the Deputy Commissioner is noticeably large, and should have been explained in the District Report.

The Court of the Deputy Commissioner is situated at Palukwa, a place chiefly inhabited by Hill people; and if, therefore, from the remarks of the Deputy Commissioner above-noted, and from the figures in Statement II. exhibiting an increase of cases under the head of verbal contracts, it may be inferred that this increase is due to a greater number of suits having been instituted in our courts by this race of Hill people than in the previous year, then the result must be looked upon as satisfactory evidence of their having become more familiarized with our system of civil administration, and more inclined to end their disputes by an appeal to justice, than by a resort to strife or the compilation of interminable domestic feuds.

The Deputy Commissioner will be requested in future to note distinctly in the report the number of suits filed by Hill people, and the number by other races, as well as the number of complaints made in each court by verbal and written complaints under section 9 of the Hills District Regulation.

Subject matter of suits

5. As in the year 1875, the largest number of suits were for moveable property; but litigation under this head fell from 65 in 1875 to 48 in 1876.

Next in number come suits for money due on verbal contracts. This rose from 28 to 43.

There was an increase generally under every other head: for instance, four suits were instituted for moveable property, against one in the previous year.

Four suits were instituted to recover damages arising out of torts, against three in 1875; and 20 suits of other nature, against eight in the previous year.

No explanation has been offered in the District Report on the falling-off in litigation under the head of "Moveable property."

Value of suits.

6. With the increase in the number of suits instituted during the year, there was also an increase in the total value of suits, which rose from Rs. 3,240 to Rs. 7,825 during the year.

With the exception of a slight decrease in suits between Rs. 5 and Rs. 20 in value, there was an increase under every other head.

One suit was instituted in the Court of the Deputy Commissioner, in which the sum litigated was between Rs. 1,000 and Rs. 10,000.

Cases between Rs. 100 and Rs. 500 in value rose from seven in 1875 to 14 in the year of report; between Rs. 20 and Rs. 100, from 45 to 51; and in suits of Rs. 5 and under, from eight to 11.

Suits disposed of.

7. Out of 119 suits brought on the file for disposal, 43, or 36 per cent., were contested; while 76 suits, or 64 per cent., were disposed of without trial.

In 1875 the number contested was 20 per cent.; while the number without trial was equal to 78 per cent.

Thirty-seven per cent. were withdrawn or adjusted without trial, against 60 per cent. in 1875.

Eleven per cent. were decreed or compromised on confession, against 18 per cent.

There were seven cases dismissed for non-appearance of parties, or either party, during the year, against none in 1875.

There were also 10 cases decreed *ex-parte*, against none in 1875.

No cases were sent to arbitration during the year.

As in 1875, nearly two-thirds of the number of contested suits, or 31 in number, were decreed in favour of plaintiffs; and about one-third, or 12 in number, for defendants.

Captain Hughes says:—"Few cases are contested in this district, as the defendant usually acknowledges the claim in full

or in part. If in part, the parties always come to some arrangement, which the court satisfies itself is in accordance with the usage of the Hill tribes and equity.

"The above statement is worthy of comment, as showing that few false cases are instituted in the courts of the Hill Tracts, inasmuch as, of 119 cases instituted, in only 12 was judgment given for the defendant, while 45 cases were withdrawn or adjusted without decrees—that is, either withdrawn, compromised, or decreed *ex-parte*, proving that they were mostly based on good grounds."

Pending cases.

8. There were no cases pending at the close of the year.

Duration of suits.

9. An improvement is observable in the Court of the Deputy Commissioner in the average duration of contested cases, *viz.*, two days in the year of report, against four days in 1875; while in the Court of the Extra Assistant Commissioner the duration is four days, being the same as in 1875.

The average duration of uncontested cases in the Court of the Deputy Commissioner was the same in both years, *viz.*, four days; while in that of the Extra Assistant Commissioner there was an improvement, being two days against three days in 1875.

Detention of witnesses.

10. The detention of witnesses is satisfactory, as in both the courts all witnesses were discharged on the day of their arrival before the court.

Adjournments.

11. The average number of adjournments is the same as in 1875 in both courts.

Execution of decree.

12. The number of decrees passed during the year was 60. There were seven applications filed for execution of decree, of which four were completely executed, one partially executed, and two transferred to other courts for execution. In 1875 no applications were made for execution, although 40 decrees were passed.

The cause of the small number of applications has not been given in the District Report, but the remarks made to this statement in the report of 1875 may safely be taken to explain the present cause, *viz.*, that "the decrees of the courts were in every case satisfied without the necessity of execution being taken out."

Only one process was issued for arrest, four for attachment of moveable, and two for immoveable, property.

Explanation will be called for why two processes were issued for attachment of immoveable property—a procedure not laid down in the Hills District Regulation.

Appeals.

13. Two appeals were preferred in the year of report to the Court of the Deputy Commissioner from the decrees or orders of the Extra Assistant Commissioner, and the orders in both of them were confirmed.

No appeals were preferred in the Court of the Commissioner of Arakan from the decrees or orders of the Deputy Commissioner during the year.

Mr. Buckle was Superintendent up to the 19th December 1876, and presided over the District Court during that period. Both he and his Assistant, Nga Boukay, have worked well and successfully in the administration of civil justice amongst the semi-civilized races of Hill people with whom they have had to deal.

Mr. Buckle was relieved towards the close of the year by Captain Hughes, the present Superintendent and Deputy Commissioner in charge of the Arakan Hill Tracts District.

From the Superintendent of Hill Tracts, Northern Arakan, to the Commissioner of the Arakan Division,—dated the 12th February 1877.

I HAVE the honour to forward the Annual Report on the Administration of Civil Justice for the District of Hill Tracts of Northern Arakan for the past year. The subjoined table shows the number of cases instituted in the different courts of original jurisdiction, the number disposed of, and the state of the files at the close of the year, as compared with similar results for the preceding year:—

Class and locality of court, and name of presiding Judge.	Instituted.		Disposed of.		Pending at close of year.			
					Above four months.		*Total pending*	
	Previous year.	Year of report.	Previous year.	Year of report.	Previous year.	Year of report.	Previous year.	Year of report.
Nga Boukay, Extra Assistant Commissioner of the 3rd class	72	62	72	62	...	...	...	...
H. Buckle, Esq., and Captain C. H. A. Gower, Deputy Commissioners	32	57	31	57	...	...	...	...
Total ...	104	119	103	119	...	....	...	..
Decrease ...	...	...	...	...	...	...	...	...
Increase ...	...	15	...	16	...	...	...	...

From the above table it will be seen that the number of cases has decreased in the Court of the Extra Assistant Commissioner, while it has increased by 25 cases in the Court of the Deputy Commissioner. I would also observe that a good many cases are settled by the chiefs by arbitration privately, which are not shown in the returns. It will be noticed from a perusal of Statement II. that none of the suits were based on written contracts, for, as has often been observed in former reports, none of the Hill Tracts population, except about 170 Chyoungthas and a few Arakanese in the Myouk-toung circle adjoining the plains, have any written language.

2. The next table shows the character of the original litigation in the different classes of courts :—

Class and locality of court, and name of presiding Judge	Number of suits instituted for									Other suits not included in the above.	Total.
	Money due on contract, or damages for breach thereof		Specific performance of contract	Moveable property, or interest therein	Damages on account of torts.	Rights arising from status	Account	Dissolution of partnership	Immoveable property or interest		
	Written	Unwritten.									
Nga Boukay, Extra Assistant Commissioner of the 3rd class		22		24	1			2	4	9	62
H Buckle, Esq, and Captain C H A Gower, Deputy Commissioners		21		24	3				.	9	57
Total		43		48	4			2	4	18	119

3. The value of original suits was as follows :—

Class and locality of court, and name of presiding Judge	Number of suits disposed of, value not exceeding rupees							Above Rs 1,00,000.	Total value of suits.
	5	20	100	500	1,000	10,000	1,00,000		
									Rs A P.
Nga Boukay, Extra Assistant Commissioner of the 3rd class ..	4	26	26	6			...		2,668 7 0
H Buckle, Esq, and Capt C H A Gower, Deputy Commissioners	7	16	25	8		1			5,156 14 0
Total	11	42	51	14		1	..		7,825 5 0

4. The manner in which the litigation was disposed of in the several courts is shown below :—

Class and locality of court, and name of presiding Judge.	Number of cases brought on the file, including pending from last year.	Transferred.	Withdrawn or adjusted without decrees.	Dismissed for non-appearance of either party.	Decree on compromise or confession.	Decree *ex-parte*.	Judgment by default.	Decreed by arbitration.	Contested cases.		Pending.
									Judgment for plaintiff.	Judgment for defendant.	
Nga Boukay, Extra Assistant Commissioner of the 3rd class	62		34	1		8	...		13	6	..
H. Buckle, Esq., and Captain C. H A Gower, Deputy Commissioners	57		11	6	14	2		..	18	6	
Total ...	119		45	7	14	10	...		31	12	...

Few cases are contested in this district, as the defendant usually acknowledges the claim in full or in part. If in part, the parties always come to some arrangement, which the court satisfies itself is in accordance with the usage of the Hill tribes and equity.

The above statement is worthy of comment, as showing that few false cases are instituted in the courts of the Hill Tracts, inasmuch as, of 119 cases instituted, in only 12 was judgment given for the defendant, while 45 cases were withdrawn or adjusted without decrees —that is, either withdrawn, compromised, or decreed *ex-parte*, proving that they were mostly based on good grounds.

5. The detention of witnesses and the average duration of suits in each court of original jurisdiction, and the average number of adjournments, was as follows :—

Class and locality of court, and name of presiding Judge.	Number of witnesses discharged after				Average duration of suits.				Average number of adjournments.	
					For previous year.		For year of report.			
	One day.	Two days.	Three days.	More than three days.	Contested.	Uncontested.	Contested.	Uncontested.	For previous year.	For year of report.
Nga Boukay, Extra Assistant Commissioner of the 3rd class ...	49	...	...	...	4·77	3·	4·16	2·	·44	...
H. Buckle Esq., and Capt, C. H. A. Gower, Deputy Commissioners ...	44	...	...	...	4·62	3·	2·1	4·6	·13	...

This statement bears out the remark I have made in former reports, that the Hill people, through their chiefs, as a rule submit to the order of the court without further trouble or litigation.

6. The next table shows the number of decrees passed by the several civil courts, the number of applications for execution, and the degree in which the applications were satisfied :—

Class and locality of court, and name of presiding Judge.	Number of decrees passed during the year.	Number of applications for execution, including those pending from last year.	Decrees completely executed.	Decrees partially executed.	Applications struck off.	Pending at close of year.	
						For more than four months.	Total pending.
Nga Boukay, Extra Assistant Commissioner of the 3rd class	24	...	1	...	...	...	...
H. Buckle, Esq., Capt. and C. H. A. Gower, Deputy Commissioners	36	...	3	1	...	...	...
Total ...	60	...	4	1	...	...	...

7. Processes of execution were issued as follow :—

District	Mode of execution								Orders under Section 243, Act VIII. of 1869.
	Delivery of possession.	Specific performance	Person		Moveable property		Immoveable property		
			Arrest.	Imprisonment.	Attachment.	Sale.	Attachment	Sale	
Hill Tracts of N Arakan			1		4		2		

8. The next table shows the nature of the applications and miscellaneous business performed by civil courts throughout the year :—

Class and locality of court, and name of presiding Judge.	Nga Bonkay, Extra Assistant Commissioner	H Buckle, Esq., Deputy Commissioner
Plaints requested or returned.		
Applications: For arrest or attachment before judgment.	:	
Relating to execution of decree.		
To sue as pauper.		
For review of judgment or new trials.		2
For certificate to collect debts under Act XXVIII of 1860		
For grant of probate or letters of administration.		
For relief in cases of disputed succession under Act XXIX of 1841.		
For the charge of person or property of minors, Acts XL. of 1858 and IX of 1861		
For appointment of manager or guardian of lunatic, or admission, Acts XXXV and XXXVI of 1858.	:	
For establishment of right to have document registered, sections 75 to 76, Act VIII of 1871.		
Total number instituted.		
Total number disposed of		
Number left pending		
Of these, number pending for more than two months	:	

9. The subjoined table shows the number of appeals referred to the Deputy Commissioner from the decrees of the Subordinate in which the decrees appealed against were upheld :—

Name	Number of appealed decrees passed by him.	Number of appeals preferred	Number of decrees confirmed	Number modified.	Number reversed	Proportion of reversals and modifications to appealable decrees
Nga Boukay, Extra Assistant Commissioner	24	2	2			

There is only one Subordinate Judge—Nga Boukay. His character is good, and his work is fairly done.

W. G. HUGHES, *Captain,*
Superintendent of Hill Tracts.

APPENDICES TO PART I.;

COURTS EXERCISING JURISDICTION IN THE TOWN OF RANGOON

B.-

1.—Statement showing the various Judicial Tribunals, Original and Appel

Class of Tribunal, Distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges	Number of Judicial Divisions	Average area of each Division in square miles	Average population of each Division	Number of Tribunals	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any	Judicial powers of each Tribunal, Original and Appellate	Prescribed qualification of Judges previous to appointment
Recorder's Court Rangoon { Civil, Criminal, Admiralty, Insolvency	1 1 1 1	48		1	1 Judge and 5 Jurors	Ordinary Original Civil Jurisdiction in suits of every description except those which are cognizable by a Court of Small Causes Admiralty Jurisdiction, as exercised by a High Court throughout British Burma, including the territorial waters thereof Insolvency Jurisdiction under the 11th and 12th Vic, Cap 21 within the towns of Rangoon, Moulmein, Akyab, and Bassein Powers of a District Judge Powers of a District Judge under the Indian Divorce Act throughout British Burma Powers of a High Court in respect of the Court of Small Causes of Rangoon *Criminal* Powers of a Court of Sessions as defined in the Code of Criminal Procedure, in the town of Rangoon Criminal Appellate Jurisdiction Powers of a High Court for the trial of European British subjects throughout British Burma Powers of a High Court in respect of the Magistrates of the Town of Rangoon	Barrister of not less than five years standing
Small Cause Courts confined to proper functions—Court of the First Judge	1		106,644	1	1 Judge	Original Civil Jurisdiction up to Rs 1,000	
Ditto ditto ditto—Court of the Second Judge	1			1	1 do	Original Civil Jurisdiction up to Rs 500	

JUDICIAL.

late existing in the Town of Rangoon on the last day of the year 1876.

Total number of Judges.				Average annual salary of each paid Judge.		Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officers.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of cases decided during the year.			
Europeans.														
Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	European.	Native.						Criminal.	Civil.		Appeal.
				Rs.	Rs.	Rs. A. P.	Rs. A. P.							
...	...	...	...	...	...	...	...	One of the Judges of the Special Court.	Every day, Sundays and authorized holidays excepted.	12	43	Regular ... 138 Miscellaneous ... 368	Court of 1st Judge.	24 Criminal Appeals. 6 Criminal Miscellaneous. 4 Admiralty. 13 Insolvency.
...	...	1	...	30,000	...	45,256-9-6	29,337-5-0						Court of 1st Judge. ... 3,277 Regular Miscellaneous ... 2,492 Total ... 5,769	
...	...	1	...	8,400	...	15,884-4-5	26,849-15-0	...	211	12	..	Regular Miscellaneous ... 1,767 Court of 2nd Judge. 955 Total ... 2,722		
...	...	...	1	...	6,000	9,317-14-0	8,577-3-0	...	209	32	...			

B.—JUDICIAL.

CLASS OF TRIBUNAL, Distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original and Appellate.	Prescribed qualification of Judges previous to appointment.
Town Magistrate, 1st class, exercising Criminal powers only.	1	45	104,332	1	1	District Magistrate, J.P.,	...
Assistant Magistrate		...	..	1	1	Second class powers, J.P.,	...
Total .	...	45	104,332	2	2	....	...

Statement 1.—(concluded.)

Total number of Judges. Europeans. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officers.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Civil.	Appeal.
				Rs. A. P.	Rs.	Rs.	Rs.						
...	1	...	...	10,856-10-8	..	17,300	1,609	Collector of Revenue, President of Municipality, Hospital, and Dalhousie Park Committee; Official Visitor, Central Jail and Lunatic Asylum, Rangoon.	295	17	2,050	...	...
...	..	1	...	6,443-5-4	..	...	1,211	Member of Municipal and Cantonment Committees; Official Visitor, Central Jail and Lunatic Asylum, Rangoon.	..	17	1 822	...	...
...	1	1	...	17,300-0-0	...	17,300	2,820	...	...	...	3,872	...	...

B.—Judicial.

2.—(Criminal.)—Statement of offences reported, and of persons tried and acquitted for each offence in the Town of Rangoon in the year 1876.

Description of Offence.	Section of Code applicable.	Number of offences during the year.		Number of persons under trial during the year.	Discharged without trial.	Acquitted or discharged.	Warned and discharged.	Convicted.	Committed.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
		Reported.	Brought to trial.									
CLASS I.												
Offences against the State, Public and Justice.												
Making, using, or possessing false weights and measures	264 to 267.	1	1	1	...	...	...	1	...	...	...	
Disobedience of lawful orders ...	188.	8	8	16	3	1	2	10	...	...	...	
Taking gift to screen an offender from punishment	213 to 215.	...	...	...	...	...	...	...	...	...	...	
Escape from lawful custody	224.	5	5	6	...	...	2	4	...	...	...	
Disobeying summons or notice ...	172 to 175.	...	...	...	...	...	...	...	...	...	...	
Personating public servant	170 and 171.	...	...	...	...	...	...	...	...	...	...	
Omitting to give information of offence or giving false information	176, 177, 181, 182, 202, 203.	4	4	7	...	...	4	3	...	...	...	
Abetting the corruption of the Police ...	161, 109, 162, and 116.	7	7	9	...	...	5	4	...	...	...	
Diminishing or altering coins... ...	246, 249.	3	3	3	...	1	...	1	1	...	...	
Counterfeiting coins	231 to 238.	3	3	3	...	...	...	...	3	...	...	
Resisting lawful apprehension ...	225.	1	1	1	...	1	...	...	...	...	...	

By Public Servant.											
Taking gratification.. ...	161 to 165.	5	5	9	.	2	.	7	..	...	...
Breach of Police Act by public officers ...	Act V. of 1861.	4	4	4	.	...	..	4	..	...	...
Public servant negligently suffering escape	129, 223.	2	2	2	.	...	1	1	...	...	...
False Evidence, False Complaints, or Claims and Forgery.											
Giving false evidence	193 to 196.	2	2	3	.	.	.	1	2	.	..
False charge of offence	211.	15	15	22	3	6	4	9	.	.	..
Frivolous or vexatious complaint ...	C. P. 209.	12	12	12	.	.	..	12		...	...
Forgery or fraudulently using or possessing forged documents .. .	465 to 469, 471, 473 to 477.	3	3	6	4	.	..	.	2		...
Making or using false trade marks ..	482.	1	1	1			...	1	.	..	...
Public Nuisance.											
Public nuisance	269 to 294.	3	3	6	...	1		5	...	..	...
Public nuisance under Police Act ...	Act V. of 1861.	89	89	250	..	13	23	214	...	..	...
Drunk and disorderly ...	Ditto	425	425	1,191	...	21	19	2,151	...	..	...
Creating a disturbance ...	Ditto.	291	291	963	..	96	15	852	...	..	...
Relating to Public Peace.											
Rioting or unlawful assembly ..	143 to 153. 157 and 158.	6	6	38		17	.	21	...	..	...
Affray	160.	14	14	55	3	..	...	52	..	...	...
Offences relating to religion . .	295 to 298.	.	.	...	...	...	...	.	.	...	..
CLASS II.											
Offences against the Person.											
Murder	302 and 303.	7	7	7	.	...	...		7	...	...
Attempt to murder	307.	.	...	..	.	...	...	.	..	...	...
Culpable homicide	304—A.	1	1	1	...	..	...	1	...	...	...
Attempt to commit suicide	309.	1	1	1	...	..	...	1	...	...	...
Grievous hurt	325 and 326.	18	17	33	1	12	...	19	1	...	...
Grievous hurt on grave provocation ...	335.	1	1	1	..	.	..	1	..	...	..
Hurt	323—334.	78	78	121	12	33	2	74	..	...	..
Hurt by dangerous weapons'... .	324.	29	29	52	..	12	..	39	1	...	.
Doing an act which endangers human life	336 and 337.	5	5	11	...	2	.	9	..	..	.
Carried over ...		1,044	1,043	2,835	26	218	77	2,497	17	..	..

B.—Judicial.

2.—*Statement of offences, &c., in the Town of Rangoon, &c.*—(continued).

Description of Offence.	Section of Code applicable.	Number of offences during the year. Reported.	Brought to trial.	Number of persons under trial during the year.	Discharged without trial.	Acquitted or discharged.	Warned and discharged.	Convicted.	Committed.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
Brought forward..	.... .	1,044	1,043	2,835	26	218	77	2,497	17			
Offences against the person.—(concluded).												
Assault or criminal force ..	352, 355, 358.	509	509	776	418	133	14	211	..	.	...	
Ditto Ditto to a woman ...	354.	5	5	5		4		1	..	.	..	
Wrongful restraint	341, 342, 346.	1	1	1				1	..	.	...	
Criminal intimidation and insult ...	504 to 509.	87	87	117	47	13	8	49	.	.	...	
Kidnapping or abduction ...	363 to 365, 367 to 369.	9	9	12	1	5	.	2	4	...	...	
Enticing a married woman ...	498.	7	7	8	4	4	.	.	.	.	..	
Adultery ...	497.	24	24	30	14	11	..	..	5	..	..	
Rape .	376.	1	1	1			..	...	1	.	...	
Unnatural offence ..	377.	1	1	1			...	..	1	..	...	
Defamation ..	500 to 502.	11	11	13	6	1	1	5	..	...	.	
CLASS III.												
Offences against Property with Violence.												
Dacoity ...	395, 397, 398.	...	...	...	.	...	...	...	...	..		

Robbery	392 and 393.	3	2	4	...	..	...	...	4	...	...
Extortion	384 to 389.	4	4	4	..	2	...	1	1	...	...
House-breaking or house-trespass in order to commit theft .. .	451, 454, 457.	19	13	22	.	8	1	16	2	...	...
House-breaking or lurking house trespass	452, 455, 456.	6	6	6	...	1	...	5	...	...	...
Without violence.											
Theft	379, 380, 381.	762	440	519	8	79	11	401	10	2	8
Dishonestly receiving stolen property ...	411 to 414.	70	70	99	..	29		70	...	...	...
Dishonest misappropriation of property	403 to 404.	20	20	34	14	10	.	9	1	..	...
Criminal breach of trust	406 to 409.	22	20	23	2	10	.	11	.	...	..
Cheating	417 to 420.	41	41	57	13	14	.	29	1	...	...
Malicious Offences.											
Mischief	426, 427, 430 to 433.	24	24	36	15	9	1	11	...	...	...
Criminal or house-trespass	447 and 448.	48	48	58	11	9		34	...	...	..
CLASS IV.											
(Offences not included in the above classes.)											
Bad livelihood	504, 505 C.P.C.	101	101	164	...	31	18	115		...	...
Criminal breach of contract or service...	490 to 492.	4	4	23	1	20	..	2		...	...
Negligent conduct with respect to fire ...	285.	7	7	9	1	...	2	6	...	...	...
Assault on Police Officers	353.	4	4	4	.	1	..	3	...	...	...
Contempt of Court	435 C.P.C.	2	2	2	..	...	..	2	...	...	...
Bound down to keep the peace ...	491, 492 C.P.C.	57	57	102	15	...	1	86	...	...	...
Maintenance	536 C.P.C.	...	...	..	..	...	..	.	...	...	...
Breach of Excise Act	Act X. of 1871.	139	139	177	.	40	1	136	...	...	...
Refusal of duty and desertion ...	M. S. Act of 1854.	78	78	178	65	1	7	105	...	...	...
Breach of Port Rules	Act XXII. of 1855.	5	5	31	1		20	10	...	...	...
Ditto Municipal Rules	„ VII. of 1874.	243	243	968	5	201	31	731	...	...	...
Ditto Hack Carriage Rules ...	Ditto.	203	203	576	11	56	19	490	...	...	...
Ditto Cart Rules	Ditto.	47	47	104	...	7	1	96	...	...	...
Ditto Boat Rules	Ditto.	21	21	41	...	1	1	39	...	...	...
Ditto Cantonment Rules	Act XXII. of 1864.	165	165	479	...	32	23	424	...	...	...
Ditto Lock-hospital do.	Ditto.	138	138	261	.	1	46	214	...	...	...
Gambling	Act III. of 1867.	109	109	546	10	45	11	480		...	...
Carried over ...	.....	4,041	3,709	8,326	688	991	298	6,292	47	2	8

B.—Judicial.

2.—*Statement of offences, &c., in the Town of Rangoon, &c.*—(concluded).

Description of Offence.	Section of Code applicable.	Number of offences during the year. Reported.	Brought to trial.	Number of persons under trial during the year.	Discharged without trial.	Acquitted or discharged	Warned and discharged.	Convicted.	Committed.	Died, escaped, or transferred.	Remaining under trial,	Remarks
Brought forward ...	... ...	4,041	3,709	8,326	688	991	298	6,292	47	2	8	
(*Offences not included in the above classes*).—(concluded).												
Arms Act	Act XXXI. of 1860.	1	1	1	..	...	...	1	...	..	...	
Forfeiture of security	397 C.P.C.	1	1	1	.	.	.	1	...	...	..	
Cattle trespass	Act I. of 1871.	16	16	25	10	3	1	11	...	...	...	
Smuggling	Act VI. of 1863.	5	5	5	..	.	.	5	...	...	..	
Breach of Prison Act	Act XXVI. of 1870.	9	9	11	...	.	.	11	...	...	...	
Breach of Ferry Rules	.	14	14	32	..		10	22	...	...	...	
Cruelty to Animals	Act V of 1861.	51	51	60	...	8	5	47	...	...	...	
Railway obstruction	Ditto.	71	71	241	..	8	17	216	...	...	...	
Rash or negligent driving	279.	3	3	3	...	1	1	1	...	...	...	
Grand Total ...	... .	4,212	3,880	8,705	698	1,011	332	6,607	47	2	8	

B.—Judicial.

2.—(Criminal.)—Statement of offences reported, and of persons tried, convicted, and acquitted for each offence in the Court of the Recorder of Rangoon for the year 1876.

Description of Offence.	Number of offences reported during the year.	Number of persons under trial during the year	Acquitted or discharged.	Convicted.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
CLASS I.							
Offences against the State, the Public, and Justice.							
Against the State.							
Waging war against the Queen ..	..	...	*6	*20	...	...	* Pending from last year.
Collecting arms or concealing attempt to wage war	.	...	...	...	...	...	
War or depredation on allied powers	..	...	...	...	...	...	
Abetment of mutiny	...	...	...	...	...	.	
Relating to coin, stamps, weights and measures.							
Counterfeiting coin	3	4	...	4	..	...	
Diminishing or altering coin ...	...	...	.	.	...	...	
Passing or possessing bad or altered coin	...	...	...	.	...	...	
Counterfeiting stamps, or selling same	.	..	...	...	...	...	
Using as genuine, counterfeit stamps, or effacing or altering same	...	...	...	..	...	.	
Making, using, or possessing false weights or measures	..	...	...	.	..	...	
Against Public Justice.							
Personating public servant or soldier	..	...	..	..	...		
Concealing design to commit offence	...	...	...	.	..	...	
Omitting to give information of offence, or giving false information	...	...	...	...	...	..	
Causing disappearance of evidence	.	...	..	..	..	...	
Resisting, obstructing, or omitting to assist public servant ...	...	...	...	...	...	...	
Disobedience of lawful order, causing injury	...	...	...	...	...	...	
Intentional insult or interruption in judicial proceedings ..	..	...	...	...	...	..	
Harbouring an offender ...	...	...	...	...	...	...	
Taking gift to screen offender ...	...	...	...	...	...	...	
Resistance to lawful apprehension and rescue	...	...	...	...	...	...	
Escape from lawful custody or transportation	..	...	...	...	...	..	
Absconding from, avoiding, or disobeying summons, or notice, or order to attend or produce, or refusing to answer or sign ...	...	..	...	...	..	...	
Failure to attend as juror or assessor	...	...	...	..	...	.	
Carried over ...	3	4	6	24	...	...	

B.—Judicial.

2.—(*Criminal.*)—*Statement of offences, &c.*—(continued.)

Description of Offence.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
Brought forward ...	3	4	6	24	...	...	
By Public Servants.							
Taking valuable things by, or to influence, public servants ..	...	...	...	...	..	...	
Public servants acting illegally to injure any person	.	...	...	...	...	..	
Public servants unlawfully trading	...	...	..	...	...	...	
Public servants fraudulently defeating punishment or forfeiture.	...	..	...	...	...	...	
Public servants wilfully making order or decision contrary to law	...	...	...	.	...	...	
Public servants intentionally omitting to apprehend, or permitting to escape	...	...	...	...	...	...	
Public servants negligently suffering escape	...	...	...	...	...	...	
Breach of Police Act by Police Officers	...	...	...	...	...	...	
False evidence, false complaints or claims, and forgery ...	...	...	...	...	...	...	
Giving false evidence	3	5	4	1	...	...	
Fabricating false evidence ...	1	2	...	2	...	...	
Making, issuing, or using false statement or certificate ...	...	...	...	...	...	...	
False personation in judicial proceeding	...	...	...	...	...	...	
Fraudulent claim to, or concealment of, property, or suffering of decree	...	..	...	...	...	...	
False claim in Court of Justice ...	...	...	...	...	...	...	
False charge of offence ...	...	...	...	...	...	...	
Frivolous or vexatious complaint,	...	...	...	...	...	...	
Forgery, or fraudulently using or possessing forged document ...	2	2	...	2	...	...	
Making or using false trade marks,	...	...	...	...	...	...	
Public Nuisances.							
Public nuisances under Penal Code,	...	...	...	...	...	...	
Nuisances under Police or Municipal and Local Acts	...	...	...	...	...	...	
Relating to the Public Peace.							
Rioting or unlawful assembly ...	...	...	...	...	...	...	
Omitting to inform of, or prevent riot	...	...	...	...	...	...	
Affray	...	...	...	...	...	...	
Offences relating to religion ...	...	..	...	...	...	...	
Total .	9	13	10	29	...	...	

B.—Judicial.

2.—(*Criminal.*)—*Statement of offences, &c.*—(continued.)

Description of Offence.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
CLASS II.							
Offences against the Person.							
Murder. By Thugs...	...	...	...	..	..	...	
Murder. „ Dacoits	...	...	.	...	...	...	
Murder. „ Robbers	...	...	...	...	...	...	
Murder. „ Poison for sake of robbery	...	...	...	...	...	...	
Murder. „ Poison from other motives	...	...	...	..	..	...	
Murder. Other Murders. from motives connected with women	...	...	...	...	...	...	
Murder. Other Murders. from other motives	6	6	...	6	...	..	
Attempt to murder	...	...	...	...	...	...	
Culpable homicide	...	...	...	*1	...	...	Pending from last year.
Abetment of suicide	...	...	...	...	...	...	
Attempt to commit suicide	...	...	...	...	...	...	
Causing miscarriage	...	...	...	...	...	...	
Exposure of infant or concealment of birth	...	..	...	...	...	...	
Grievous hurt	2	2	...	2	...	..	
Ditto on grave and sudden provocation	1	1	.	1	...	...	
Hurt	...	...	..	...	...	...	
Hurt by dangerous weapons	...	.	...	...	...	...	
Administering stupefying drugs	...	...	...	...	...	...	
Causing hurt to extort property or confession	...	...	...	...	...	...	
Act dangerous to life or safety	...	...	...	...	...	...	
Wrongful restraint	...	...	...	...	...	...	
Ditto confinement	...	...	...	...	...	...	
Ditto ditto to extort property or confession	...	...	...	...	...	...	
Assault or use of criminal force	...	...	...	...	...	...	
Criminal intimidation or insult	...	...	...	...	...	...	
Causing annoyance in state of intoxication	..	...	...	...	...	...	
Unlawful compulsion of labor	...	...	...	...	...	...	
Buying or disposing of any person as a slave	...	...	...	...	...	...	
Kidnapping or abduction	2	4	3	1	...	...	
Abducting a woman to compel marriage or for defilement	...	...	...	...	...	...	
Selling, letting, or unlawfully obtaining a woman for purposes of prostitution	...	...	...	...	...	...	
Enticing a married woman with criminal intent	1	1	...	1	...	...	
Fraudulent and unlawful marriages	...	...	...	...	...	...	
Adultery	*5	5	4	1	...	...	* Two cases withdrawn by prosecutors.
Rape	...	...	...	...	...	...	
Unnatural offences	†1	1	1	...	...	...	† Under the English Statute.
Defamation	...	...	...	...	...	...	
Total	18	20	8	13	...	..	

B.—Judicial.

2.—(*Criminal.*)—*Statement of offences, &c.*—(continued.)

Description of Offence.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred	Remaining under trial.	Remarks.
CLASS III.							
Offences against Property.							
With Violence.							
Dacoity	...	..	...	...	...	.	
Preparation or assembly for dacoity	...	...	...	...	...		
Robbery with hurt or deadly weapon	2	4	...	...	.	4	
Robbery	...	...	...	...	...		
Extortion	1	1	1	..	...	...	
House-breaking or house-trespass, in order to commit theft	1	1		1	..	.	
House-breaking or house-trespass, in order to commit an offence other than theft ...	...		...		.	..	
House-breaking or house-trespass with preparation for, or attempt at, hurt	..	..			.	...	
House-breaking or lurking ...	1	1	.	1	...	...	
House-trespass	...	...	...	...	...	...	
Without Violence.							
Theft { of cattle			...	.	..	...	
Theft { ordinary	6	12	6	*7	...	...	* 1 Pending from last year.
Dishonestly receiving stolen property	1	1	...	1	...	...	
Dishonest misappropriation of property		...	..	...	...	...	
Criminal breach of trust	2	2	2	..	...	..	
Cheating	...	...	...	...	..	...	
Attempt to cheat under Sections 417 to 511	1	1	..	1	...	...	
Attempt to commit rape ...	1	1	...	...		1	
Malicious Offences.							
Mischief, ordinary	...	.	...	...	...	...	
Mischief by poisoning or killing cattle . .	...	...	...	...	...	...	
Mischief by destroying landmarks	...	...	...	...	...	...	
Serious mischief by fire	...	...	...	...	...	...	
Criminal trespass or house-trespass	...	...	...	...	..	...	
Breaking closed receptacle ...	...	...	.	...	...	...	
Total ...	16	24	9	11	..	5	
CLASS IV.							
Offences not included in the above classes.							
Belonging to a gang of { Thugs ...	...	...	...	...	...	...	
Belonging to a gang of { Dacoits ..	...	...	..	...	...	..	
Belonging to a gang of { Thieves...	...	...	.	...	...	...	

B.—Judicial.

2.—(*Criminal.*)—*Statement of offences, &c.*—(concluded.)

Description of offence.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
Vagrancy without ostensible means of livelihood	...	...	...	...	...	...	
Bad habit and repute	...	...	...	...	...	...	
Criminal breaches of contracts of service	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	
Breaches of special laws for the protection of the revenue or on other subjects, the acts being specified.							
Breaches of laws relating—							
To Excise on spirits and drugs (*Abkaree*)	...	...	...	...	...	...	
„ Customs Act	...	...	...	...	...	...	
„ Post Office Act	...	...	...	...	...	...	
„ Jails	...	...	...	...	...	...	
„ Forests	...	...	...	...	...	...	
„ Gaming and lotteries ...	...	...	...	...	...	...	
„ Lunatics Act	...	...	...	...	...	...	
„ Cattle-trespass Act ...	...	...	...	...	...	...	
„ Possession of arms... ...	...	...	...	...	...	...	
„ Merchant Shipping Act ...	...	..	...	...	...	...	
„ Local Rules	...	...	...	...	...	...	
„ Port Rules	...	...	...	...	...	...	
„ Revenue Rules	...	...	...	...	...	...	
„ Police Act	...	...	...	...	...	...	
„ Cantonment Rules... ...	...	...	...	...	...	...	
„ Carriages, carts, and boats ...	...	...	...	...	...	...	
„ Contagious diseases ...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	
ABSTRACT.							
Offences under Class I. ...	9	13	10	29	...	...	NOTE.—Of the 29 persons remaining under trial at the end of the previous year, only 28 are shown, one person being referred to the Local Government under section 426 of the Criminal Procedure Code.
Ditto Class II. ...	18	20	8	13	...	...	
Ditto Class III. ...	16	24	9	11	...	5	
Ditto Class IV. ...	...	...	...	...	...	...	
Breaches of special laws of the province	...	...	...	...	...	...	
Grand Total ...	43	57	27	*53	...	5	* Includes 28 pending from last year.

B.—

3.—(Criminal.)—Statement showing the general results of Criminal Trials year

Class of Tribunal.	Number of persons dealt with.						
	Remaining at end of last year.	Brought to trial during the present year				Received by transfer.	Total.
		Under arrest by Police.	Under warrant.	On summons.	Voluntarily.		
Town Magistrate	21	2,499	575	1,237	...	...	4,311
Assistant Magistrate	...	3,261	74	1,059	...	...	4,394
Total ...	21	5,760	649	2,296	...	...	8,705
Sessions Court (Recorder's)	29*	57	...	...	...	...	86*
Grand Total ...	50	5,817	649	2,296	...	...	8,791

JUDICIAL.

in the Tribunals of various classes in the Town of Rangoon, in the 1876.

Prisoners disposed of.									
Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped, or transferred.	Remaining at end of the year.	Average number of days during which each case lasted.	Number of witnesses who attended.	Warned and discharged.	Remarks.
443	455	3,188	35	2	8	3	3,638	181	
255	557	3,419	12		...	2¼	2,355	151	
698	1,012	6,607	47	2	8		5,993	332	
3	24	53		...	5	29	239	..	* Only 28 are shown as disposed of, one person being referred to Local Government, under Section 426 of the Criminal Procedure Code.
701	1,036	6,660	47	2	13	29	6,232	332	

B.

4.—(Criminal.)—Statement showing the Punishments inflicted by in the

Class of Tribunal.	Persons sentenced to: Death.	Transportation: For life.	Transportation: For a term.	Penal servitude.	Imprisonment. Rigorous: With solitary confinement.	Imprisonment. Rigorous: Without solitary confinement.	Imprisonment. Simple.	Forfeiture of property.	Fine: With imprisonment.	Fine: Without imprisonment.	Whipping: In addition to other punishment.	Whipping: In lieu of other punishment.	Persons ordered to give: Surety of the peace.	Recognizance.	Sureties for good behaviour.	Rs. 10 and under.	Rs. 50 and under.
Town Magistrate, 1st Class, exercising Criminal powers only.	..	..	..	..	7	479	30	1	3	2,518	8	78	34	4	26	2,269	194
Assistant Magistrate		..	...	...	10	331	10	..	17	2,862	14	84	62	...	29	2,553	247
Total ..	..	...	.	..	17	810	40	1	20	5,380	22	162	96	4	55	4,822	441
Sessions' Court (Recorder's.)	3	3	15	...	2	30			1	...	...	...	...	...	...	...	
Total ..	3	3	15	...	19	840	40	1	21	5,380	22	162	96	4	55	4,822	441

JUDICIAL.

various Criminal Tribunals in the Court of the Town Magistrate of Rangoon year 1876.

DETAIL OF PUNISHMENT.

Fine.							Imprisonment.										Whipped.		
							15 days.		6 months.		2 years.		7 years.		Above 7 years.				
Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	10 stripes and under.	20 stripes and under.	30 stripes and under.
				Rs. A. P.	Rs. A. P.	Rs. A. P.													
46	9	...	...	20,023 4 0	19,046 12 0	114 0 0	196	14	205	16	96	..	.	...	..	...	31	42	5
31	31	...	..	24,992 0 0	18,131 9 0	245 0 0	93	8	224	5	55	2	...	...	...	..	13	50	21
77	40	...	...	54,915 4 0	38,078 5 0	359 0 0	289	17	429	21	151	2	...	...	...	...	44	92	26
	1	..	..	150 0 0	*Nil.*	...	..	..	10	.	4	...	13	...	5	..	...	..	..
77	41	...	...	55,065 4 0	38,078 5 0	359 0 0	289	17	439	21	155	2	13	...	5	...	44	92	26

B

5.—(Criminal.)—Statement showing the Result of Appeal and Revision

Class of Tribunal.	Cases.	Number of appellants or persons applying for revision under Section 404, Code of Criminal Procedure.	Appeals on application rejected.	Sentences confirmed.
Recorder's Court, Rangoon	...	32	11	3
Town Magistrate, 1st Class, exercising Criminal powers only ...	5	11	...	8
Total ...	5	43	11	11

JUDICIAL.

in Criminal Cases in the Town of Rangoon during the year 1876.

Number of Persons.						Remarks.
Sentences modified	Sentences reversed.	Proceedings quashed.	Further enquiry or evidence ordered.	Cases referred for revision to High Court.	Pending.	
2	6	5	2		3*	* But one appeal.
1	...	2	...	...	...	
3	6	7	2	...	3	

B.

6.—(Civil.)—Statement showing the number and description of Civil Suits

SUITS FOR MONEY, DISTINGUISHING SUITS UP TO RS. 500, COGNIZABLE BY SMALL CAUSE COURTS, FROM

CLASS OF TRIBUNAL.	*On written obligation.*		*On unwritten obligation.*		*On account stated.*		*Money had and received.*		*Goods sold.*		*Breach of contract not mentioned above.*		*Rent not falling under the Rent Law.*	
	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs 500 and under.	Above Rs 500.	Rs. 500 and under.	Above Rs 500.	Rs. 500 and under	Above Rs 500.	Rs. 500 and under.	Above Rs. 500	Rs. 500 and under.	Above Rs. 500
Recorder's Court, Rangoon	12	41		6		6	1	1	4	3	3	7		
Court of Small Causes — Court of the First Judge,	1,348	64	787	15	68	2	137	6	414	5	22	4	169	
Court of Small Causes — Court of the Second Judge	537		456		25		83		380		16		154	
TOTAL	1,897	105	1,243	21	93	8	221	7	798	8	41	11	323	

JUDICIAL.

instituted in the Civil Courts of the Town of Rangoon in the year 1876.

"OTHER CASES."				SUITS UNDER THE RENT LAW.	OTHER SUITS.														
Moveable property, or value thereof.		*Damages.*																	
Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	For ejectment, or recovery of possession.	Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Ejectment.	Administration suits.	REMARKS.
...	3	3	10	...	2	5	4	7	10	...	...	21	4	...	...	...	2	1	
84	7	36	3	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	
94	...	13	...	..	..	..	...	...	...	...	...	...	...	...	...	...	...	...	
178	10	52	13	...	2	5	4	7	10	...	...	21	4	...	...	...	2	1	

B.—Judicial.

7.—(Civil.)—Statement showing Value of Suits disposed of in the Civil and Revenue Courts of the Town of Rangoon in the year 1876.

Value of Suits.	Number of Suits disposed of in different Courts.					Total value of Suits.	Remarks.
	Village Courts.	Small Cause Courts.	Moonsiffs', Deputy Collectors' and other Sub-divisional Courts.	District Courts.	Superior Courts.		
1	2	3	4	5	6	7	8
In Civil Courts. Rs.						Rs. A. P.	
Not exceeding 5	...	...	...	...	...	...	31 Suits of no estimated value were disposed of.
Ditto 20	...	...	...	...	1	18 0 0	
Ditto 100	...	...	...	..	8	582 10 9	
Ditto 500	...	...	...	...	21	6,887 4 8	
Ditto 1,000	...	...	...	...	11	9,782 12 0	
Ditto 5,000	...	...	...	...	53	1,15,234 2 7	
Ditto 10,000	...	...	...	...	5	36,019 1 8	
Ditto 1,00,000	...	...	...	...	7	2,05,394 8 5	
Exceeding 1,00,000	...	..	...	...	1	1,49,840 0 0	
Total ...	...	...	...	..	107	5,23,758 8 1	

B.—Judicial.

7(a).—(Civil.)—Statement showing Value of Suits disposed of in the Civil Courts exercising jurisdiction within the Town of Rangoon in the year 1876.

Value of Suits		Number of Suits disposed of in the Courts of Small Causes at Rangoon					Total value of suits in both Courts.
		Court of the First Judge	Value of suits.	Court of the Second Judge	Value of suits	Total number of suits in both Courts	
1		2	3	4	5	6	7
In Civil Courts.	Rs		Rs A P		Rs A. P		Rs A P
Not exceeding	5	91	359 13 7	130	478 2 0	221	837 15 7
Ditto	20	858	11,245 13 6	671	7,822 14 7	1,529	19,068 12 1
Ditto	100	1,515	75,397 1 4	721	33,975 15 2	2,236	1,09,373 0 6
Ditto	500	701	1,52,800 1 10	246	54,066 3 2	947	2,06,866 5 0
Ditto	1,000	112	77,660 4 11			112	77,660 4 11
Ditto	5,000						
Ditto	10,000						
Ditto	1,00,000						
Exceeding	1,00,000						
	Total	3,277	3,17,463 3 2	1,768	96 343 2 11	5,045	4,13,806 6 1

B.—Judicial.

8.—(Civil.)—*Statement showing the general result of the trial of Civil Suits in the Courts of Original Jurisdiction in the Town of Rangoon in the year 1876.*

Class of Court	Suits remaining from last year.	Instituted in 1876	Received by transfer	Total for disposal	Transferred to other Courts.	Plaint rejected or returned	Dismissed for default	Withdrawn with leave.	Compromised	Decreed on confession	Decreed *ex-parte*	Dismissed *ex-parte*	Contested: Judgment for plaintiff in whole or part.	Contested: Judgment for defendant	Total disposed of	Pending.	Over two months	Over four months	Average duration of suits: Contested.	Average duration of suits: Uncontested	Referred to arbitration.	Remarks.
																			Days.	Days.		
Superior Court of general jurisdiction (Recorder's)	17	156		173			9	6	10	2	23		60	28	138	35	3	2	56	35		
Small Cause Courts: Court of the First Judge	202	3,138	33	3,373	1	8	542	49	137	369	1,260	5	565	341	3,277	96	1		18	25 53		
Small Cause Courts: Court of the Second Judge,	10	1,757	1	1,768	33	10	409	90	33	265	623	2	231	71	1,767				21 43	7 41	1	
Total	229	5,051	34	5,314	34	18	960	145	180	636	1,906	7	856	440	5,182	131	4	2			1	

B.—Judicial.

9.—(Civil.)—Statement showing the business of the Civil and Revenue Appellate Courts exercising Jurisdiction within the Town of Rangoon in the year 1876.—Blank.

B.—Judicial.

10.—(Civil.)—Statement showing the Execution of the Decrees of the Civil and Revenue Courts exercising jurisdiction within the Town of Rangoon in the year 1876.

Class of Courts.	Applications to execute decrees.				Decrees completely executed.	Decrees partially executed.	Pending at the end of 1876.	Decrees executed by possession being given.	Nature and number of coercive processes issued.						Remarks.
	Pending.	Filed.	Received by transfer.	Total.					Imprisonment of person.	Moveable property. Attached.	Moveable property. Sold.	Immoveable property. Attached.	Immoveable property. Sold.	Orders under Section 243, Code of Procedure.	
Recorder's Court	14	68	52	134	70	64	...	1	9*	13	5	41	20	...	* 35 Processes issued.
Courts of Small Causes. Court of First Judge ...	55	1,897	2	1,954	1,034	871	49	...	110	441	132	...	...	...	
Courts of Small Causes. Court of Second Judge ...	10	681	2	693	415	273	5	...	79	134	67	...	...	...	
Total ...	79	2,646	56	2,781	1,519	1,208	54	1	198	588	204	41	20	...	

B.—Judicial.

11.—Statement showing use of Juries and Assessors in the Civil and Criminal Courts of the Town of Rangoon in the year 1876.

Class of Courts in which Jurors or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case, and prescribed qualification.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury Trials.		Assessors' Trials.		Note showing in what class of cases Juries and Assessors have been principally employed.	Remarks.
				Cases in which the Judge approved of the verdict.	Cases in which the Judge did not approve of the verdict.	Number of cases in which Judges agreed with Assessors.	Number of cases in which Judges differed from Assessors.		
Jurors are employed in all Criminal trials before the Recorder as a Court of Session, and as a High Court for the trial of European British subjects. Assessors in Civil cases, at the discretion of the Recorder.	*Jury of five*—No prescribed qualifications beyond what is laid down in the Criminal Procedure Code. *Assessors*.—One or more. No prescribed qualification.	40	...	40	...	...	...	Criminal trials.	

APPENDICES TO PART II.;

COURTS UNDER THE SUPERVISION OF THE JUDICIAL COMMISSIONER.

B.

1.—Statement showing the various Judicial Tribunals, Original and Appel
Rangoon) on the last

CLASS OF TRIBUNAL, Distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original and Appellate.
Local and Subordinate Magistrates exercising Criminal powers only, unpaid.	1	...	...	1	1 Judge.	Magistrate of the 3rd class, under Section 20 of Act X. of 1872.
Ditto ditto exercising criminal powers only, paid.	2	...	...	2	1 do.	Magistrates of the 2nd and 3rd classes, under Section 20 of Act X. of 1872.
Ditto ditto exercising Civil and Criminal powers only, paid.	1	...	...	1	1 do.	Magistrate of the 1st class, under Section 20 of Act X of 1872, and powers of a Small Cause Court to try suits up to Rs. 50 in value.
Ditto ditto exercising Civil powers only, paid.	2	...	...	2	1 do.	Civil original jurisdiction up to Rs. 3,000 and Rs. 5,000 as Courts of grade (2) under Sections 12 and 13 of Act XVII of 1875. One Judge has powers of a Small Cause Court to Rs. 100 in value.
Ditto Ditto exercising Criminal, Civil, and Revenue powers, paid.	97	...	...	97	1 do.	Magistrates of the 2nd and 3rd classes under Section 20 of Act X. of 1872. Civil original jurisdiction up to Rs. 500 and Rs. 3,000 as Court of grade (1) and grade (2) defined in Section 12 of Act XVII. of 1875, with Revenue powers under the rules of the province.
Ditto Ditto exercising Criminal, Civil, and Revenue powers, paid.	1	...	...	1	1 do.	Magistrate of the 3rd class, under Section 20 of Act X. of 1872. Civil original jurisdiction of whatever value or amount under Section 2(a) of the Arakan Hills Civil Justice Regulation 1874. Revenue powers as prescribed in the Arakan Hills District Laws Regulation, 1874.
Small Cause Courts confined (to proper functions).	1	...	...	1	Both under Act XVII. of 1875. One Judge for both Courts. Juriors employed in Sessions trials.	Civil original jurisdiction in Civil suits up to Rs. 1,000, under Section 12 of Act. XVII. of 1875.
Court of the Judge of the town of Moulmein.	1	...	...	1		Civil original Sessions and Criminal appeal, under Act XVII. of 1875; also powers of a Small Cause Court, with jurisdiction up to Rs. 1,000 under Section 12 of Act XVII. of 1875.
Magistrates of 1st class, exercising Criminal powers only.	2	...	...	2	1 Judge.	Magistrate of the 1st class under Section 20, Act X. of 1872, and Justices of the Peace.

JUDICIAL.

late, existing in the Province of British Burma (exclusive of the Town of day of the year 1876.

Prescribed qualification of Judges previous to appointment.	Total number of Judges. Europeans. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officers.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Civil.	Revenue.	Appeal.
					Rs.	Rs.	Rs. A. P.								
...	...	...	...	1	...	...	...		...		...	...	...	...	...
...	...	1	1	...	4,800	...	9,600		One Station Staff Officer. One Deputy Conservator of Forests.		...	161	...	...	...
...	...	...	1	...	2,400	...	2,400		Assistant Commissioner.		...	120	229	...	...
...	...	...	...	2	...	4,500	9,618		...		...	...	2,462	...	
...	3	1	5	88	4,470	2,070	2,10,858-2-11	Rs. 307,168-0-0.	One Judge in charge of Treasury and Stamps and Sub-registrar of Deeds.	Sundays and holidays excepted.		9,637	16,254	2,297	...
...	...	...	...	1	...	1,200	2,668-7-0		...		...	23	62	...	...
...	...	...	...	...	...	...	...		...		6	...	2,156	...	...
...	...	...	1	...	14,640	...	29,350-10-8		Sessions Judge.		6	24	295	...	5
...	...	2	...	...	10,454-6-6	...	30,088-13-1		Presidents of the Municipal Committees.		10	2,657	...	...	...

B.—JUDICIAL.

CLASS OF TRIBUNAL, Distinguishing those which exercise powers in one Department from those exercising powers in two or three Departments, and those consisting of paid from unpaid Judges	Number of Judicial Divisions.	Average area of each Division in square miles	Average population of each Division.	Number of Tribunals	Constitution of Tribunals, stating number of Judges in each, and Jury or Assessors, if any	Judicial powers of each Tribunal, Original and Appellate
Magistrates of 1st class, exercising Criminal, Civil and Revenue powers.	15			15	1 Judge	Magistrates of the 1st class under Section 20, Act X of 1872 and Justices of the Peace Civil jurisdiction to Rs 3 000 under Act XVII of 1875 Revenue powers under the rules of the province
Magistrates of Districts exercising Criminal, Civil, and Revenue powers, as also special powers under Section 36 of Act X of 1872.	16			16	1 do	Magistrates of the 1st class under Section 20 of Act X of 1872, Civil Original Jurisdiction in all suits, of whatever value or amount, with Appellate Civil powers over all Courts of grade (1) and grade (2) as defined in Section 12 of Act XVII of 1875 Revenue, Original and Appellate powers as in the Revenue rules of the province also additional powers under Section 36 of Act X of 1872, Magistrates of full powers have the chief executive control over their districts, and have powers to hear appeals from the orders of 2nd and 3rd class Magistrates in their districts, and are also Justices of the Peace
Sessions Courts	3			3	1 do with assessors in Sessions trials	Powers of Court of Sessions under Section 15 of Act X of 1872 Appellate jurisdiction, Criminal, Civil, and Revenue, over all Chief Courts of districts and Magistrates of the 1st class
Court of the Judicial Commissioner	1			1	1 Judge	Powers of a High Court

ABSTRACT

1 Judicial Commissioner
3 Commissioners
1 Judge
4 Deputy Commissioners, 1st grade
3 ditto ditto 2nd do.
4 ditto ditto 3rd do
3 ditto ditto 4th do

1 Superintendent of Hill Tracts
5 Assistant Commissioners, 1st grade
6 ditto ditto 2nd do
5 ditto ditto 3rd do
15 ditto ditto 4th do
6 Supernumerary Assistant Commissioners
1 Senior Extra Assistant Commissioner

Statement 1.—(concluded.)

Prescribed qualification of Judges previous to appointment.	Total number of Judges. Europeans. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of Tribunals.	Net receipts from Stamps.	Executive or other functions exercised by the same Officers.	Average number of days in the year devoted to Judicial work.	Average number of Advocates attached to each Tribunal.	Number of cases decided during the year. Criminal.	Civil.	Revenue.	Appeal.	Remarks.
					Rs.	Rs.	Rs.									
	4	5	6	...	8,843	...	93,447-0-0	Rs. 307,168-0-0.	...	Sundays and holidays excepted.	...	5,345	708	235	...	
...	...	12	4	...	16,380-0-0	...	276,497-10-0		...		...	1,925	97	2,993	1,050	*144 Criminal appeals at Court of Sessions. 110 Criminal appeals. 8 Civil ditto. 220 Revision ditto. 553
...	...	3	...	...	28,532-0-0	...	88,497-0-0		...		...	67	Mis. cases. 2	Mis. cases. 210	324	
...	1	...	...	...	26,666-10-0	...	39,972-12-0	3,108	.		..	41	...		*558	

ABSTRACT.

5 Extra Assistant Commissioners, 1st class, 1st grade.
4 ditto ditto 1st do. 2nd do.
7 ditto ditto 2nd do. 1st do.
8 ditto ditto 2nd do. 2nd do.
24 ditto ditto 3rd do. 1st do.
24 Extra Assistant Commissioners, 3rd class, 2nd grade
34 ditto ditto 3rd do. 3rd do.
2 Assistant Cantonment Magistrates.
3 Honorary Magistrates.

B.—Judicial.

2.—(Criminal.)—Statement of offences reported, and of persons tried, convicted, and acquitted for each offence in the Province of British Burma (exclusive of the Town of Rangoon) for the year 1876.

Description of Offence.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
CLASS I.							
Offences against the State, the Public, and Justice.							
Relating to coin, stamps, weights and measures.							
Counterfeiting coin	1	3	...	3	...	...	
Diminishing or altering coin ...	...	...	...	...	...	...	
Passing or possessing bad or altered coin	11	11	5	6	...	...	
Making, using, or possessing false weights or measures	18	47	22	25	...	...	
Against Public Justice.							
Personating public servant or soldier	17	28	11	17	...	...	
Concealing design to commit offence	1	2	2	...	...	...	
Omitting to give information of offence, or giving false information	64	78	24	54	...	...	
Causing disappearance of evidence	13	19	9	9	...	1	
Resisting, obstructing, or omitting to assist public servant ...	79	110	43	67	...	...	
Disobedience of lawful order, causing injury	210	485	107	378	...	...	
Intentional insult or interruption in judicial proceeding ...	15	19	1	18	...	...	
Harbouring an offender ...	13	19	12	5	...	2	
Taking gift to screen offender ...	29	46	19	23	1	3	
Resistance to lawful apprehension and rescue	50	75	22	53	...	...	
Escape from lawful custody or transportation	77	90	15	66	1	1	7 committed.
Absconding from, avoiding, or disobeying summons, or notice, or order to attend or produce, or refusing to answer or sign ...	125	195	60	134	1	...	
By Public Servants.							
Taking valuable thing by, or to influence public servants ...	61	100	38	60	2	...	
Public servant fraudulently defeating punishment or forfeiture.	4	5	1	4	...	...	
Public servant intentionally omitting to apprehend, or permitting to escape	4	4	4	...	...	...	
Public servant negligently suffering escape	60	81	15	57	4	5	
Breach of Police Act by Police Officers	55	63	6	57	...	...	
Carried over ...	927	1,489	416	1,045	9	12	7 committed.

B.—Judicial. *Statement 2.*—(continued.)

Description of Offence.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
Brought forward ...	927	1,480	416	1,045	9	12	7 committed.
False evidence, false complaints or claims, and forgery.							
Giving false evidence	38	46	17	19	1	4	5 ditto.
Fabricating false evidence ...	2	2	...	2	...	...	
Fraudulent claim to, or concealment of, property, or suffering of decree	17	26	13	13	...	...	
False claim in Court of Justice ...	1	1	1	...	...	...	
False charge of offence ...	31	38	26	11	1	...	
Frivolous or vexatious complaint,	3	2	1	1	...	...	
Forgery, or fraudulently using or possessing forged document ...	15	19	11	3	...	4	1 ditto.
Making or using false trade-marks,	4	5	2	2	...	1	
Public Nuisances.							
Public nuisances under Penal Code,	1,171	2,024	500	1,519	...	4	1 ditto.
Nuisances under Police or Municipal and Local Acts	1,453	3,574	659	2,912	...	3	
Relating to the Public Peace.							
Rioting or unlawful assembly ...	130	980	333	647	...	...	
Affray	152	696	117	579	...	...	
Offences relating to religion ...	13	36	26	10	...	...	
Total ...	3,957	8,988	2,122	6,763	11	28	14 committed.
CLASS II.							
Offences against the Person.							
Murder { By Dacoits	6	10	...	...	...	2	8 committed.
Murder { „ Robbers	3	3	...	...	1	1	1 ditto.
Other Murders. { From motives connected with women.	10	8	...	...	...	1	7 ditto.
Other Murders. { From other motives.	53	106	36	...	1	2	67 ditto.
Attempt to murder	18	22	1	4	...	1	16 ditto.
Culpable homicide	35	40	16	9	...	1	14 ditto.
Abetment of suicide	1	1	...	1	...	...	
Attempt to commit suicide ...	24	24	12	10	1	1	
Causing miscarriage	1	...	...	...	...	...	
Exposure of infant or concealment of birth	6	8	3	5	...	...	
Grievous hurt	112	171	59	98	...	5	9 ditto.
Ditto on grave and sudden provocation	12	15	2	13	...	...	
Hurt	699	1,128	424	685	...	19	
Hurt by dangerous weapons ...	242	387	132	235	...	15	5 ditto.
Administering stupefying drugs ...	2	5	2	3	...	...	
Causing hurt to extort property or confession	5	11	5	6	...	...	
Act dangerous to life or safety ...	117	177	55	120	...	2	
Carried over ...	1,356	2,116	747	1,189	3	50	127 committed.

B.—Judicial. *Statement 2*—(continued.)

Description of Offence.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
Brought forward	1,356	2,116	747	1,180	3	50	127 committed.
Wrongful restraint	24	79	33	45	...	1	
Ditto confinement	28	38	19	16	...	3	
Ditto ditto to extort property or confession ...	3	5	4	...	1	...	
Assault or use of criminal force ...	2,112	2,956	1,524	1,331	76	25	
Criminal intimidation or insult ...	1,145	1,483	870	576	29	8	
Causing annoyance in state of intoxication	51	59	15	44	...	...	
Buying or disposing of any person as a slave	2	2	...	2	...	...	
Kidnapping or abduction ...	44	52	25	19	...	2	6 ditto.
Abducting a woman to compel marriage or for defilement ...	2	2	2	...	...	...	
Selling, letting, or unlawfully obtaining a woman for purposes of prostitution	1	2	1	1	...	...	
Enticing a married woman with criminal intent	12	11	8	3	...	...	
Fraudulent and unlawful marriages	1	1	1	...	...	...	
Adultery	59	58	39	7	4	3	5 ditto.
Rape	63	59	27	25	...	2	5 ditto.
Attempt to commit rape ...	1	1	1	...	...	...	
Unnatural offences	6	6	...	4	...	...	2 ditto.
Defamation	43	65	33	23	1	8	
Total ...	4,043	6,995	3,349	3,285	114	102	145 committed.
CLASS III.							
Offences against Property with violence.							
Dacoity	36	62	10	23	...	2	27 committed.
Preparation or assembly for dacoity	3	12	6	2	...	...	4 ditto.
Robbery with hurt or deadly weapon	29	31	14	17	...	...	
Robbery	59	100	46	52	...	2	
Extortion	60	112	40	69	3	...	
House-breaking or house-trespass, in order to commit theft ..	634	316	88	223	1	4	
House-breaking or house-trespass, in order to commit an offence other than theft	49	43	9	32	...	2	
House-breaking or house-trespass with preparation for, or attempt at, hurt	142	113	42	69	1	1	
House-breaking or lurking ... / House-trespass	112	71	22	48	...	1	
Without Violence.							
Theft of cattle	797	552	200	347	1	2	2 ditto.
Theft ordinary	7,759	6,076	1,702	4,295	47	23	9 ditto.
Dishonestly receiving stolen property	571	865	279	582	1	2	1 ditto.
Dishonest misappropriation of property	211	314	138	173	2	1	
Criminal breach of trust ...	171	181	77	100	...	2	2 ditto
Cheating	160	196	111	78	5	2	
Carried over ...	10,793	8,944	2,784	6,110	61	44	45 committed.

B.—Judicial. *Statement 2*—(concluded.)

Description of Offence.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred.	Remaining under trial.	Remarks.
Brought forward ...	10,793	8,944	2,784	6,110	61	44	45 committed.
Malicious Offences.							
Mischief, ordinary	354	673	376	295	1	1	
Mischief by poisoning or killing cattle	56	64	39	24	...	1	
Mischief by destroying landmarks	2	2	...	2	...	...	
Serious mischief by fire ...	68	46	25	17	1	...	3 ditto.
Criminal trespass or house-trespass	744	1,102	613	481	1	7	
Breaking closed receptacle ...	1	1	...	1	...	...	
Total ...	12,018	10,932	3,837	6,930	64	53	48 ditto.
CLASS IV.							
Not included in the above classes.							
Criminal breaches of contracts of service	20	32	21	11	...	...	
Excise on spirits and drugs (*Abkaree*)	1,511	1,811	417	1,452	10	2	
Customs	4	4	...	4	...	...	
Stamps	12	20	2	18	...	...	
Post Office	1	1	...	1	...	...	
Municipalities	409	804	163	640	...	1	
Jails	27	30	5	25	...	...	
Forests	39	50	10	35	...	5	
Ferries	6	7	4	3	...	...	
Railways	2	7	1	6	...	...	
Fishery Act	28	103	28	75	...	...	
Gaming and lotteries	834	5,075	1,161	3,886	16	12	
Cattle-trespass Act	64	117	29	88	...	...	
Possession of arms	10	20	3	16	1	...	
Merchant Shipping Act ...	27	93	28	65	...	...	
Seamen's Act...	22	56	7	48	...	...	
Local rules	21	77	10	66	1	...	
Revenue rules	1	14	7	7	...	...	
Port rules	1	8	...	8	...	...	
Police Act V. of 1861	352	590	35	555	...	...	
Cantonment rules	74	145	7	138	...	...	
Contract Act XIII. of 1859 ...	27	26	17	9	...	...	
Gharries, carts, and boats ...	94	204	76	128	...	...	
Contagious Diseases Act ...	54	64	23	38	3	...	
Registration	1	2	...	2	...	...	
Indian Ports Act XII. of 1875 ...	1	1	...	1	...	...	
Miscellaneous...	4	4	...	4	...	...	
Total ...	3,635	9,402	2,033	7,318	31	20	
ABSTRACT.							
Offences under Class I. ...	3,957	8,938	2,122	6,763	11	28	14 committed.
Ditto Class II. ...	4,948	6,995	3,349	3,285	114	102	145 ditto.
Ditto Class III. ...	12,018	10,932	3,837	6,930	64	53	48 ditto.
Ditto Class IV. ...	20	32	21	11	...	...	
Breaches of special Laws of the Province	3,635	9,402	2,033	7,318	31	20	
Grand Total ...	24,578	36,299	11,362	24,307	220	203	207 committed.
Vagrancy without ostensible means of livelihood	623	1,216	385	809	3	19	
Maintenance of wife and children	65	64	15	49	...	...	
Security to keep the peace ...	7	8	1	7	...	...	
Maintenance of lunatics ...	4	4	...	4	...	...	
Removal of nuisances	14	14	...	14	...	...	
Non-compliance with order to give bond	5	14	3	11	...	...	
Total ...	718	1,320	404	894	3	19	

B.

3.—(*Criminal.*)—*Statement showing the general result of Criminal Trials (exclusive of the Town of*

Class of Tribunal.	Number of persons dealt with.						
	Remaining at end of last year.	Brought to trial during the present year.				Received by transfer.	Total.
		Under arrest by Police.	Upon warrant.	On summons.	Voluntarily.		
Village Officers							
Unpaid Magistrates							
Local and Subordinate paid Magistrates ...	84	11,564	1,128	5,183	8	77	18,044
Full power Magistrates exercising jurisdiction throughout the district	68	10,083	479	3,819	10	673	15,132
Chief Magistrates of Districts	11	2,236	84	238	39	574	3,182
Total Magistracy	163	23,883	1,691	9,240	57	1,324	36,358*
Sessions Courts	9	84	2	...	...	76	171
Court of Judicial Commissioner...	4	59	...	...	...	...	63
Grand Total ...	176	24,026	1,693	9,240	57	1,400	36,592

JUDICIAL.

in the Tribunals of various classes in the Province of British Burma Rangoon) in the year 1876.

Persons disposed of.					Remaining at end of the year.	Average number of days during which each case lasted.	Number of witnesses who attended.	Remarks.
Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped, or transferred.				
2,077	4,174	11,524	10	155	104	3	30,940	
1,328	2,856	10,721	121	41	65	3	27,031	
414	513	2,121	76	24	34	3	7,398	
3,819	7,543	† 24,366	207	220	203	3	65,369	* 59 persons sent up by Subordinate Magistrates for higher punishments are shown against the Magistrates who sent them up as well as against the Convicting Magistrates and thus the difference between these and corresponding total of preceding statement No 2. † Includes 59 persons who were sent up for higher punishment by Subordinate Magistrates.
1	36	99	...	14	21	45	728	
	25	32	...	4	2	39	341	
3,820	7,604	24,497	207	238	226	29	66,438	

B.

4.—(Criminal.)—Statement showing the Punishments inflicted by in the

Class of Tribunal.	Persons sentenced to: Death.	Transportation: For life.	Transportation: For a term.	Penal servitude.	Imprisonment: Rigorous: With solitary confinement.	Imprisonment: Rigorous: Without solitary confinement.	Imprisonment: Simple.	Forfeiture of property.	Fine: With imprisonment.	Fine: Without imprisonment.	Whipping: In addition to other punishment.	Whipping: In lieu of other punishment.	Persons ordered to find or give: Surety of the peace.	Recognisance.	Sureties for good behaviour.	Rs. 10 and under.	Rs. 50 and under.
Magistrates, unpaid.																	
Local and Subordinate paid Magistrates	..	...	..	..	33	2,003	111		378	8,410	59	420	...	..	...	5,633	2,819
Full-power Magistrates of general jurisdiction	...	...	...	...	190	1,797	139	.	417	7,638	106	438	87	...	603	5,061	1,563
Chief Magistrate of Districts ..			4		98	842	39	..	142	900	44	97	4		406	603	273
Total Magistracy ...	...	...	4		321	4,642	289		937	16,948	209	955	91	...	1,009	12,197	4,655
Sessions Judges ...	19	21	...	...	...	53	1	...	4	1	...	...	...	...	..		2
Judicial Commissioner	2	13	5	..	...	12	...	...	...	...	...	...	...	...			
Grand Total	21	34	9	..	321	4,707	290	.	941	16,949	209	955	91	...	1,009	12,197	4,657

N B.—Besides the above, two persons were convicted of breach of

JUDICIAL.

various Criminal Tribunals—(exclusive of the Town of Rangoon) year 1876.

DETAIL OF PUNISHMENT.

Fine.							Imprisonment.										Whipped.		
							15 days		6 months.		2 years.		7 years.		Above 7 years.				
Rs. 100 and under.	Rs. 500 and under	Rs. 1,000 and under.	Above Rs 1,000.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	10 stripes and under.	20 stripes and under.	30 stripes and under.
				Rs. A. P.	Rs. A. P.	Rs. A. P.													
249	86	...	.	1,49,401 10 1	1,12,669 0 11	6,311 11 6	455	72	1,937	66	1	..			...	..	161	240	78
359	171	1	...	1,35,079 8 6	94,918 13 0	7,918 0 0	364	94	1,235	61	892	3	2	...	...	..	127	223	191
82	77	5	2	51,951 14 6	16,550 3 2	2,596 9 0	38	35	397	28	455	3	210	.	2	...	16	62	63
690	334	6	2	3,36,433 1 1	2,24,138 1 1	16,826 5 0	857	201	3,569	155	1,348	6	212	..	2		304	525	335
.	3	...	.	675 0 0	225 0 0		1	1	5		20	..	22		9	.	..	...	...
..	...	.						..	4		4		4	.	..	...	..	...	...
690	337	6	2	3,37,108 1 1	2,24,363 1 1	16,826 5 0	858	202	3,578	155	1,372	6	238		11	...	304	525	335

the Contagious Diseases Act, and ordered to attend the lock hospital.

B.

5.—(Criminal.)—Statement showing the result of Appeal and Revision of Rangoon) during

Class of tribunal.		Number of appellants or persons applying for revision under section 404, Code of Criminal Procedure.	Appeals or applications rejected.	Sentences confirmed.
Magistrates of districts ...	Appeals from unpaid Magistrates ...	...	...	...
	Appeals from paid Magistrates ...	481	51	149
Sessions Court	Appeals from unpaid Magistrates ...	...	...	...
	Appeals from paid Magistrates ...	690	48	466
Judicial Commissioner's Court.	Appeals	156	10	103
	Revisions	524	...	291
	Total ...	1,851	109	1,009

JUDICIAL.

in Criminal Cases in the Province of British Burma (exclusive of the Town the year 1876.

Number of persons.						Remarks.
Sentences modified.	Sentences reversed.	Proceedings quashed.	Further enquiry or evidence ordered.	Cases referred for revision to High Court.	Pending.	
...	...	..	...	...	...	
94	156	10	4	...	8	
...	...	...	...	...	...	
54	77	2	1	1	16	6 appeals forwarded to High Court for disposal, the sentences passed in the cases being under the enlarged powers of the Magistrates of districts.
14	26	...	...	...	3	19 appeals transferred to Judicial Commissioner's Court.
63	109	...	...	...	1	
225	428	21	5	1	28	25

B.

6.—(Civil.)—Statement showing the number and description of Civil Suits the Town of Rangoon)

SUITS FOR MONEY, DISTINGUISHING SUITS UP TO RS. 500, COGNIZABLE BY SMALL CAUSE COURTS, FROM

CLASS OF TRIBUNAL.	*On written objection.*		*On unwritten objection.*		*On account stated.*		*Money had and received.*		*Goods sold.*		*Breach of contract not mentioned above.*		*Rent not falling under the Rent Law.*	
	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.
Paid sub-divisional tribunals ...	3,504	147	1,887	16	590	13	903	20	2,690	34	1,553	42	358	
Chief courts of districts ...	4	9	3	1	2				..	...		...		
Judge's Court, Moulmein	..	181	...	15	...			10		12		11	...	1
Ditto, small cause side ..	1,011	..	315	...			57	...	357	...	292	..	55	
Small Cause Courts, Akyab and Thayetmyo..	308	...	217	...	..	...	76	..	312	...	143	...	2	..
Total. ...	4,827	337	4,422	32	592	13	1,136	30	3,359	46	1,988	53	415	5

JUDICIAL.

instituted in the Civil Courts of the Province of British Burma (exclusive of in the year 1876.

"OTHER CASES."				SUITS UNDER THE RENT LAW.	OTHER SUITS.													
Moveable property, or value thereof.		*Damages.*																
Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	For ejectment or recovery of possession.	Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Suits for dissolution of partnership.	REMARKS.
2,506	24	3344	18	SUITS UNDER THE RENT LAW.—*Blank.*	966	74	64	87	14	3	15	660	127	101	2	5	8	
1	5	..	1		1	...	...	...	...	.	.	...	...	2	...	..	...	
	10	..	5		10	1	4	5	6	...	...	...	21	1	..	...	1	
61	.	17	..						...			...	...	.	...	..	...	
42	..	41	...		...	..	...	...	...		...	..	...	..	.	...	...	
2,610	39	3402	24		977	75	68	92	20	3	15	666	148	104	2	5	9	25,514

B.—Judicial.

7.—(Civil.)—Statement showing value of Suits disposed of in the Civil Courts of the Province of British Burma (exclusive of the Town of Rangoon) in the year 1876.

Value of suit.	Number of suits disposed of in different courts					Total value of suits.	Remarks.
	Village courts.	Small cause courts.	Moonsiffs, 'Deputy Collectors,' and other Sub-divisional courts.	District courts	Superior courts.		
1	2	3	4	5	6	7	8
Rs.						Rs. A. P.	
Not exceeding 5	...	271	2,284	2	...	8,593 5 11	
Ditto 20	...	1,133	5,709	25	...	87,306 0 3	
Ditto 100	.	1,512	10,348	117	...	5,45,461 11 9	
Ditto 500	...	323	3,096	81	..	6,53,282 8 9	
Ditto 1,000	...	45	212	10	..	1,81,353 8 5	
Ditto 5,000	..	...	98	38	...	2,73,598 1 9	
Ditto 10,000	...	...	..	9	..	55,134 8 0	
Ditto 1,00,000	...	...	.	4	...	1,00,817 0 1	
Exceeding 1,00,000	...	...	...	..	.	...	
Suits not having a money value ...	..	...	88	24	...	..	
Total	...	3,284	21,835	310		19,05,546 12 '11	

B.—Judicial.

8.—(Civil.)—Statement showing the general result of the trial of Civil Suits in the Courts of Original Jurisdiction in the Province of British Burma (exclusive of the Town of Rangoon) in the year 1876.

Class of Court.	Suits remaining from last year.	Instituted in 1876.	Received by transfer.	Total for disposal.	Transferred to other courts.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	Contested. Judgment for plaintiff in whole or part.	Contested. Judgment for defendant.	Total disposed of.	Pending.	Over two months.	Over four months.	Average duration of suits. Contested.	Average duration of suits. Uncontested.	Referred to arbitration.	Remarks.
Village courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Small cause Courts	35	3,313	3	3,351	2	...	520	49	200	316	1,080	3	746	366	3,284	67	...	...	4	2	2	
Unpaid local tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid sub-divisional tribunals	118	21,831	43	21,992	57	23	3,534	525	1,891	3,161	3,059	130	6,367	2,945	21,824	168	6	...	9	5	132	
District courts other than chief courts of district	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief courts of districts	18	318	5	341	5	1	16	14	12	27	115	...	89	38	321	20	1	2	23	12	4	
Superior courts of general jurisdiction	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Superior courts of special jurisdiction: Admiralty	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Superior courts of special jurisdiction: Testamentary	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Superior courts of special jurisdiction: Matrimonial	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Superior courts of special jurisdiction: Insolvent	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total	171	25,462	51	25,684	64	24	4,070	588	2,103	3,504	4,254	133	7,202	3,349	25,429	255	7	2	12	6	138	

B.—Judicial.

9.—(Civil.)—Statement showing the business of the Civil Appellate Courts of the Province of British Burma (exclusive of the Town of Rangoon) in the year 1876.

Class of court.		Remaining from last year.	Instituted in 1876.	Received by transfer.	Total.	Transferred.	Dismissed for default, or under sections 5 and 6, Act XXIII. of 1861.	Heard ex-parte: Confirmed.	Heard ex-parte: Modified.	Heard ex-parte: Reversed.	Contested: Confirmed.	Contested: Modified.	Contested: Reversed.	Contested: Remanded.	Total disposed of.	Pending.	Over four months.	Objections under section 348, Act VIII., 1859.	Objections allowed.	Remarks.
Chief appellate court of district.	Civil appeals*	17	1,276	...	1,293	...	38	91	1	8	608	112	356	33	1,248	45	...	...	...	
	Miscellaneous appeals ...	...	18	...	18	...	...	9	...	2	3	2	2	...	18	...	...	...	...	
Superior appellate courts other than chief court of province, each class of courts being specified		...	2	...	2	...	...	...	...	...	...	1	1	...	2	...	...	...	...	
Miscellaneous appeals		...	3	...	3	...	...	3	...	...	...	...	...	...	3	...	...	...	...	
Court of the Judicial Commissioner.	From district courts—second appeals ...	15	87	...	102	...	2	19	...	9	26	6	19	...	81	21	...	...	...	
	Miscellaneous appeals	1	2	...	3	...	...	...	...	...	1	...	2	...	3	...	...			
Total ...		33	1,388	...	1,421	...	40	122	1	19	638	121	380	33	1,355	66	...	...		

* One compromised out of court.

B.—Judicial.

10.—(Civil.)—Statement showing the Execution of Decrees of the Civil Courts in the Province of British Burma (exclusive of the Town of Rangoon) in the year 1876.

Class of Court	Applications to execute decrees				Decrees completely executed	Decrees partially executed	Pending at the end of 1876	Decrees executed by possession being given	Nature and number of coercive processes issued						Remarks.
	Pending	Filed	Received by transfer	Total					Imprisonment of person	Moveable property		Immoveable property		Orders under section 243, Code of Procedure	
										Attached.	Sold	Attached	Sold		
Small cause courts	87	1,140	6	1,233	284	282	102		63	290	72	8	1	4	565 struck off the file
Local sub-divisional civil courts	118	4,117	90	4,325	2,370	890	114	72	371	2,021	654	1,037	455	9	951 ditto
District courts	13	184	69	266	50	71	30	4	9	69	33	59	48	2	115 ditto
Total	218	5,441	165	5,824	2,704	1,243	246	76	443	2,380	759	1,104	504	15	1,631 ditto

B.—Judicial.

11.—Statement showing use of Juries and Assessors in the Civil and Criminal Courts of the Province of British Burma (exclusive of the Town of Rangoon) in the year 1876.

Class of Court in which jurors or assessors are employed, distinguishing criminal from civil courts.	Established or average number of jury or assessors in each case, and prescribed qualification.	Number of cases tried by jury.	Number of cases with assessors.	Jury trials.		Assessors' Trials.		Note showing in what class of cases juries and assessors have been principally employed.	Remarks.
				Cases in which the Judge approved of the verdict.	Cases in which the Judge did not approve of the verdict.	Number of cases in which Judges agreed with assessors.	Number of cases in which Judges differed from assessors.		
Sessions Court, Arakan ...	2		20			16	4	Juries and assessors have been principally employed in criminal trials only.	In one case the Sessions Judge agreed with assessors in respect to 1st, 2nd, and 3rd accused, but differed from them in respect to 4th accused. In four cases assessors were not called upon to give their opinion, as the prisoners were acquitted under sections 61 and 251, Code of Criminal Procedure.
Ditto, Pegu ...	2	...	23	...	..	12	6		
Ditto, Tenasserim	3	...	24	...		20	4		
Judge's Court, Moulmein (criminal) ...	5	24	..	22	2		...		
Judicial Commissioner as Court of Session	3	...	41	...		21	20		
Total ...	15	24	108	22	2	69	34		

B.—Judicial.

12.—Statement of Deeds registered in the Registration Offices of the Province of British Burma (exclusive of the Town of Rangoon) in the year 1876.

Class of Registry Office.	Number of officers	Number of Deeds Registered.															Amount of fees received.	Actual cost of Registry Office.
		Obligation for payment of money not received on real property.					*Receipts & other acquittances*		*Leases.*									
		Not exceeding Rs 20.	Not exceeding Rs. 200.	Not exceeding Rs. 5,000.	Exceeding Rs 5,000.	Other personal contracts	Not affecting real property	Affecting real property.	For terms not exceeding one year.	For terms exceeding one year.	Deeds of sale or mortgage of real property of value not exceeding Rs. 100.	Deeds of gift of real property	Deeds of sale or mortgage of same, when value exceeds Rs. 100	Deeds affecting real property not included in above.	Wills.	Authorities to adopt.		
																	Rs A. P.	Rs A P.
Arakan Division ..	3		1	2		11	4		1	7	17	3	261	6	1	1	673 0 0	330 0 0
Pegu Division ...	19		37	47		284	10	126	2	28	96	10	1,605	82	2	8	6,629 4 0	3,699 4 0
Tenasserim Division	*3		1	5		8	8	...			26	10	152	1	1		409 0 0	104 7 6
Total	25		39	54		303	22	126	3	35	139	23	2,018	89	4	9	7,711 4 0	4,133 11 6

* Returns from Amherst and Shwe-gyeen were not received.

APPENDICES TO PART III.

COURTS UNDER THE SUPERVISION OF THE COMMISSIONER OF THE ARAKAN DIVISION.

R.

1.—Statement showing the various Judicial Tribunals, Original and Appel

CLASS OF TRIBUNAL, Distinguishing those which exercise powers in one department from those exercising powers in two or three departments, and those consisting of paid from unpaid Judges.	Number of judicial divisions.	Average area of each division in square miles.	Average population of each division.	Number of tribunals.	Constitution of tribunals, stating number of Judges in each, and jury or assessors if any.	Judicial powers of each tribunal, original and appellate.	Prescribed qualification of Judges previous to appointment.
1	2	3	4	5	6	7	8
Local and subordinate Magistrate exercising criminal, civil, and revenue powers (paid).	1	.	.	1	1	Subordinate Magistrate of the 3rd class, under section 20 of Act X. of 1872, civil original jurisdiction unlimited under section 2(A). of the Arakan Hills Civil Justice Regulation, 1874. Revenue powers as prescribed in the Arakan Hills District Laws Regulation, 1874.	Town Magistrate of Akyab, Head Burmese Writer of Superintendent of Hill Tribes Court.
Magistrate of full powers exercising criminal, civil, and revenue powers.	1	1,213	12,815	1	1	Full magisterial powers under section 36, Act X. of 1872, and additional powers under section 26 of the same Act. Appellate criminal powers over all the courts in his district. Civil original jurisdiction without limit, and appellate civil power over all the courts in his district under section 2(B). of the Arakan Hills Civil Justice Regulation, 1874 Revenue, original, and appellate powers as prescribed in the Arakan Hills District Laws Regulation, 1874.	

JUDICIAL.

Tate, existing in the District of Northern Arakan on the last day of the year 1876.

Total number of Judges. Europeans. Covenanted.	Commissioned military officers	Uncovenanted.	Native.	Average annual salary of each paid Judge. European.	Native.	Total cost of tribunals.	Net receipts from stamps.	Executive or other functions exercised by the same officers.	Average number of days in the year devoted to judicial work.	Average number of advocates attached to each tribunal	No of cases decided during the year. Criminal.	Civil.	Revenue.	Appeal.
9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
				Rs	Rs	Rs.	Rs							
			1		1,200 0 0	2,683 7 0			279		23	62		
	1			12,600 0 0		5,156 14 0	...	*Ex-officio* Superintendent of Police.	270		27	57		3

B.

6.—(Civil).—Statement showing the number and description of Civil Suits insti

SUITS FOR MONEY, DISTINGUISHING SUITS UP TO Rs 500, COGNIZABLE BY SMALL CAUSE COURTS, FROM

CLASS OF TRIBUNAL	*On written objection*		*On unwritten object tion*		*On account stated*		*Money had and received*		*Goods sold*		*Breach of contract not mentioned above*		*Rent not falling under the Rent Law.*	
	Rs 500 and under	Above Rs. 500	Rs 500 and under	Above Rs. 500.	Rs 500 and under	Above Rs 500	Rs 500 and under	Above Rs. 500.	Rs 500 and under	Above Rs 500	Rs. 500 and under	Above Rs 500	Rs 500 and under.	Above Rs. 500.
Paid sub divisional tribunal							21		24					
Chief court of district							20		20					
Total							41		44					

JUDICIAL.

tuted in the Civil Courts of the District of Northern Arakan in the year 1876

"OTHER CASES."				SUITS UNDER THE RENT LAW.	OTHER SUITS.												
Moveable property, or value thereof.		*Damages.*															
Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	For ejectment or recovery of possession.	Suits for immoveable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property, including ejection, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	REMARKS.
1	...	1	...	SUITS UNDER THE RENT LAW.—*Blank.*	4	..	...	...	..	...	...	2	7	2	...	...	There were 10 suits instituted by verbal complaints, under section 9 of the Hill Regulation, 1874.
3	..	5	..		.		...	...	...	...	..	2	6	1	.	.	There were 34 suits instituted by verbal complaints, under section 9 of the Hill Regulation, 1874.
4	.	6			4		...	...	...	...		4	13	3	..		

B.—Judicial.

7.—(Civil).—Statement showing the value of Suits disposed of in the Civil Courts of the District of Northern Arakan in the year 1876.

Value of suit.	Number of suits disposed of in different courts.					Total value of suits.	Remarks.
	Village courts.	Small cause courts.	Moonsiffs, Deputy Collectors, and other Sub-divisional courts.	District courts.	Superior courts.		
1	2	3	4	5	6	7	8
Rs.						Rs. A. P.	
Not exceeding 5	..	...	4	7	..	32 12 3	
Ditto 20	..	.	26	16	..	473 8 0	
Ditto 100	..	...	26	25	..	2,679 10 3	
Ditto 500	..	..	6	8	..	3,239 6 6	
Ditto 1,000	..	...	..	..	..	. .	
Ditto 5,000	..	..	..	1	..	1,400 0 0	
Ditto 10,000	..	..	..	..	..	. .	
Ditto 50,000	..	..	..	..	.	. .	
Ditto 1,00,000	..	..	..	.	.	. .	
Total	...		62	57	..	7,825 5 0	

B.—Judicial.

8.—(Civil).—Statement showing the general result of the trial of Civil Suits in the Courts of Original Jurisdiction in the District of Northern Arakan in the year 1876.

Class of court.	Suits remaining from last year	Instituted in 1876	Recovered by transfer	Total for disposal	Transferred to other courts	Plaint rejected or returned.	Dismissed for default	Withdrawn with leave	Compromised	Decreed on confession	Decreed *ex-parte*	Dismissed *ex-parte*	Contested: Judgment for plaintiff in whole or part	Contested: Judgment for defendant	Total disposed of	Pending	Over two months	Over four months.	Average duration of suits: Contested	Average duration of suits: Uncontested.	Referred to arbitration	Remarks.
Paid sub-divisional tribunal		62		62			1		34		8		13	6	62				4·16	2·		
Chief court of district	1	56		57			6	1	10	14	2		18	6	57				2·1	4·6		
Total	1	118		119			7	1	44	14	10		31	12	119				3·58	3·3		

B.—JULICIAL.

9.—(Civil).—Statement showing the business of the Civil Appellate Courts of the District of Northern Arakan in the year 1876.

CLASS OF COURT.	Remaining	Instituted	Received by transfer	Total	Transferred	Dismissed for default, or under sections 5 and 6, Act XXIII of 1861	HEARD EX PARTE			CONTESTED.				Total disposed of	Pending	Over four months	Objection under section 348, Act VIII of 1869	Objections allowed	REMARKS
							Confirmed	Modified	Reversed	Confirmed	Modified	Reversed.	Remanded						
Chief court of district		2		2						2									
Total		2		2						2									

B.—Judicial.

10.—(Civil).—Statement showing the execution of decrees of the Civil Courts of the District of Northern Arakan in the year 1876.

Class of court.	Applications to execute decrees.				Decrees completely executed.	Decrees partially executed.	Decrees executed by possession being given.	Nature and number of coercive processes issued.					Orders under section 248, Code of Procedure.	Remarks.
									Moveable property.		*Immoveable property.*			
	Pending.	Filed.	Received by transfer.	Total.				Imprisonment of person.	Attached.	Sold.	Attached.	Sold.		
Paid sub-divisional tribunal ...	...	1	...	1	1	...	1	...	1	...	2	...	...	
Chief court of district ...	...	6	...	6*	3	1	...	1	3	...	...	...	...	
Total ..	...	7	...	7	4	1	1	1	4	...	2	..	...	

* Two cases have been transferred to other courts for execution.

B.

1.—Statement showing the various Judicial Tribunals, Original and of the

CLASS OF TRIBUNAL. Distinguishing those which exercise powers in one department from those exercising powers in two or three departments, and those consisting of paid from unpaid Judges.	Number of judicial division.	Average area of each division in square miles	Average population of each division.	Number of tribunals.	Constitution of tribunals, stating number of Judges in each, and jury or assessors if any.	Judicial powers of each tribunal, original and appellate.
1	2	3	4	5	6	7
Local and subordinate Magistrate exercising criminal, civil, and revenue powers (paid).	1	...	..	1	1 Judge.	Magistrate of the 3rd class under section 20 of Act X. of 1872. Civil original jurisdiction of whatever value or amount under section 2(A). of the Arakan Hills Civil Justice Regulation, 1874. Revenue powers as prescribed in the Arakan Hills District Laws Regulation, 1874.
Magistrate of Districts exercising criminal, civil, and revenue powers.	1	1,213	12,615	1	1 Judge.	Magistrate of the 1st class under section 20 of Act X of 1872. Additional powers under section 36 of Act X. of 1872. Powers of the chief executive control over the district, with powers to hear appeals from the orders of the 2nd and 3rd class Magistrates in the district, and is also Justice of the Peace. Civil original jurisdiction of whatever value or amount under section 2(A). of the Arakan Hills Civil Justice Regulation, 1874. Appellate civil powers over all the courts in his district under section 2(B). of the Arakan Civil Justice Regulation, 1874. Revenue original and appellate powers as prescribed in the Arakan Hills District Laws Regulation, 1874.
Sessions Judge.	1	...	..	1	1 Judge.	Powers of a court of sessions under section 15, Act X. of 1872. Appellate jurisdiction, criminal and revenue, over the chief court of district, and Magistrate of the 1st class. Powers of a High Court in civil matters under section 2(C). of the Arakan Hills Civil Justice Regulation, 1874.

ABST

1 Extra Assistant
1 Deputy Commis-
1 Commissioner.

JUDICIAL.

appellate, existing in the Hill District of Northern Arakan on the last day year 1876.

Prescribed qualification of Judges previous to appointment.	Total number of Judges. European. Covenanted.	Total number of Judges. European. Commissioned military officers.	Total number of Judges. European. Uncovenanted.	Total number of Judges. Native.	Average annual salary of each paid Judge. European.	Average annual salary of each paid Judge. Native.	Total cost of Tribunals.	Net receipts from stamps.	Executive or other functions exercised by the same officers.	Average number of days in the year devoted to judicial work.	Average number of advocates attached to each tribunal.	No. of cases decided during the year. Criminal.	No. of cases decided during the year. Civil.	No. of cases decided during the year. Revenue.	No. of cases decided during the year. Appeal.
8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
...	...	...	..	1	..	Rs. 1,200	Rs. 2,668-7	...	...	...	..	23	62	...	...
...	...	1		...	Rs. 12,600	...	Rs. 5,156-14	...	*Ex-officio* Superintendent of Police.	Sundays and other holidays excepted.	..	27	57	...	3
	...	1			Rs. 21,600		Rs. 24,501		...	...	...	...	...	..	...

RACT.

Commissioner, 3rd class.
sioner.